



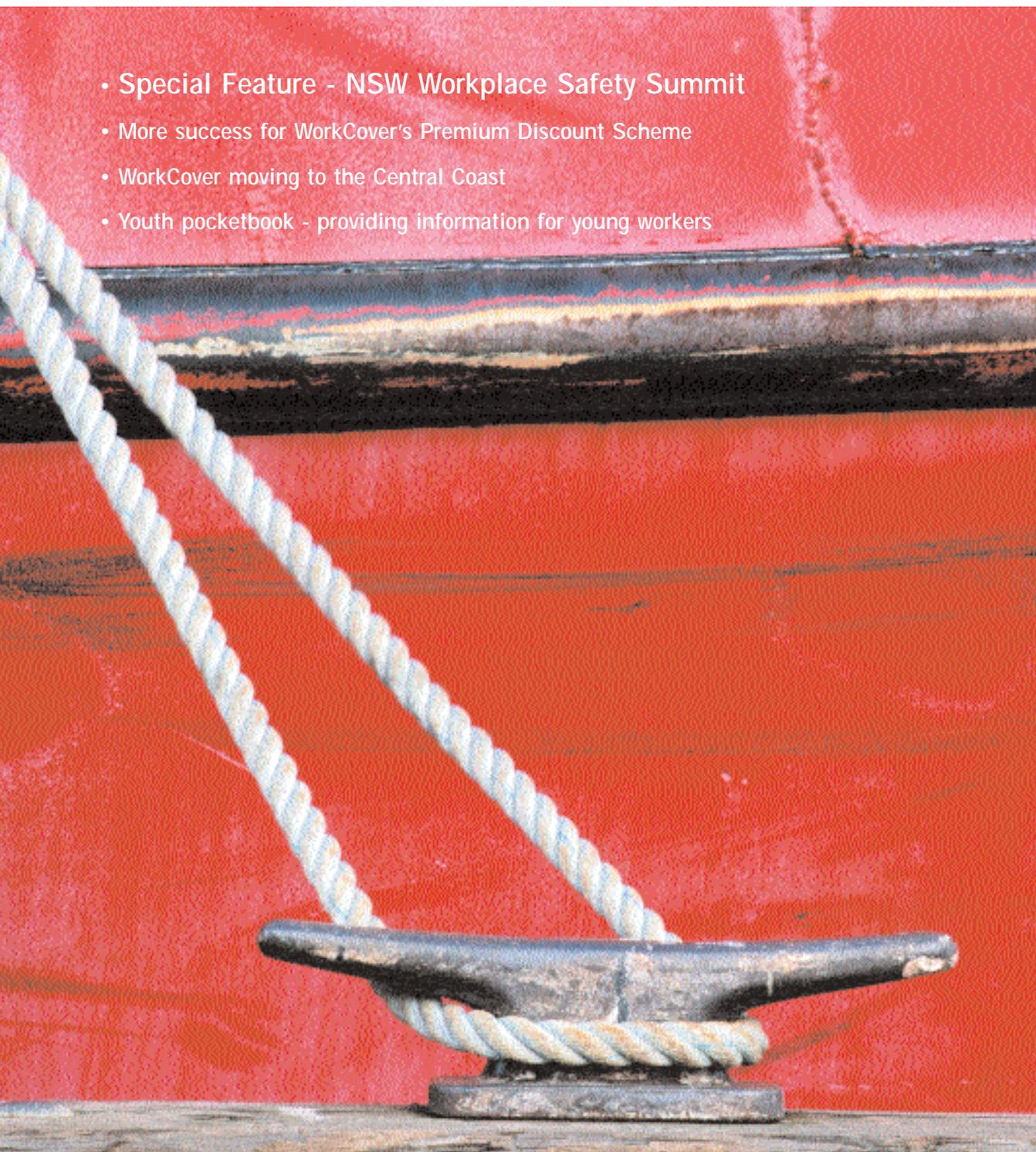
WORKCOVER NEWS

The workplace safety and injury management magazine

50

September-November 2002

- Special Feature - NSW Workplace Safety Summit
- More success for WorkCover's Premium Discount Scheme
- WorkCover moving to the Central Coast
- Youth pocketbook - providing information for young workers



WorkCover. **Watching out for you.**



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*WorkCover's Head Office and the WorkCover Assistance Service will move to Gosford from 21 October 2002. To find out new contact details, see page 14 of this edition of *WorkCover News*.

**Please use these phone numbers from 21st October 2002

DISCLAIMER: This publication contains industry recommended action or information regarding occupational health, safety, injury management or workers compensation. It includes some of your obligations under the various Workers Compensation and Occupational Health and Safety legislation that WorkCover NSW administers. To ensure you comply with your legal obligations you must refer to the appropriate acts. This publication may refer to WorkCover NSW administered legislation that has been amended or repealed. When reading this publication you should always refer to the latest laws. Information on the latest laws can be checked at www.nsw.gov.au or contact (02) 9238 0950 or 1800 463 955 (NSW country only). The use or representation of a product or particular brand of product in a WorkCover NSW publication (whether the use of representation appears in an advertisement, illustration, photograph or other form) is not to be taken to imply WorkCover's approval or endorsement of the product or brand.

News from the General **Manager**



THE RECENT NSW WORKPLACE SAFETY SUMMIT held in Bathurst on 5-7 July 2002 was a great success. Bringing together leaders in government, employer groups, unions and occupational health and safety experts, the Summit looked at practical ways to reduce the incidence of workplace injury by 40 per cent over the next 10 years.

The Summit also featured a number of overseas speakers who identified that workplace safety is also a priority for governments in Canada and the United Kingdom. This edition of *WorkCover News* features a special eight-page report on the outcomes of the Summit on pages three to 11.

The NSW Government is currently preparing a response to the outcomes of the Summit. *WorkCover News* will report back to readers on the response in an upcoming edition.

On 1 September 2002, a new phase of WorkCover's advertising campaign was launched to coincide with the end of the new occupational health and safety regime's transitional arrangements for organisations employing more than 20 staff.

The television, radio and print campaign targets employers and employees and focuses on preventing injury, illness and death in the workplace.

The campaign represents a "call to action" for employers to improve workplace safety. It also encourages consultation between employers and employees in managing workplace risk.

WorkCover is proud to renew its association with the NSW branch of the Australian Paralympic Committee, by extending our involvement with the Paralympian Sponsorship Program. The Program provides an effective way of raising awareness of the importance of workplace safety.

The 2002-3 Program will sponsor five talented athletes, all of who were seriously injured in workplace incidents. They will travel to workplaces throughout NSW giving first-hand accounts of how their accident happened, what should have been done to prevent it, and how they have successfully rebuilt their lives.

The athletes are also available to address industry groups, conference dinners and media events.

To find out more about the Paralympian Sponsorship Program, see the brochure inserted in this edition of *WorkCover News*. The brochure provides information about the athletes involved in the program and includes a form for you to book an athlete to speak at your workplace.

On 21 October 2002, the head office of WorkCover will relocate to Gosford on the NSW Central Coast. From the new location WorkCover will continue to provide the same high level of service to all of our stakeholders, from Gosford. For our new contact details, refer to the article about the move on page 14.

A handwritten signature in black ink, appearing to read 'Kate McKenzie'.

KATE MCKENZIE
General Manager
WorkCover NSW

Watching Out for Each Other – the NSW Workplace Safety Summit

WORKING UNDER THE BANNER OF “WATCHING OUT FOR EACH OTHER” – a slogan representing the spirit of cooperation inspiring the event – the NSW Workplace Safety Summit brought together over 200 occupational health and safety (OHS) experts representing government, employers, employees and unions on 4-5 July 2002 in the NSW city of Bathurst.

Special Minister of State and Minister for Industrial Relations, the Hon. John Della Bosca MLC told the delegates that education, prevention and consultation are the cornerstones for improving workplace safety.

“We need to provide the leadership for culture to change, for cooperation between employers and employees,” the Minister told the delegates. He stressed that prevention is always better than cure, and prosecuting after a workplace incident will never provide the total answer to improving occupational health and safety.

The Summit was an attempt to build on the legislative framework developed under the recently introduced *Occupational Health and Safety Act 2000* which the Minister told the Summit was one of the best of its kind in the world.

“While the Summit agreed to a general target to reduce injuries and deaths by 40 per cent over 10 years, high-level working groups believed some sectors could exceed those figures,” said the Minister.

Prevention is always better than cure, and prosecuting after a workplace incident will never be the total answer to improving occupational health and safety.

With speakers from Canada and the European Union, a number of common international themes emerged, especially the need to improve workplace safety in the small business sector.

The Government will produce a comprehensive response to the outcomes of the Summit shortly. This will feature in an upcoming edition of *WorkCover News*.



Photo: Frank Cahill



Photo: Frank Cahill

Left: “We need to provide the leadership for culture to change, for co-operation between employers and employees,” said Mr Della Bosca at NSW Workplace Safety Summit.

Reports from the **Industry** Working Groups



ONE OF THE HIGHLIGHTS OF THE NSW WORKPLACE SAFETY SUMMIT was the creation of eleven industry-specific working groups to discuss solutions to occupational health and safety (OHS) problems. The industry working groups were chaired by eleven Ministers, Members of Parliament and heads of government departments, and included representatives from unions, employers groups and OHS specialists.

THE ELEVEN WORKING PARTIES FOCUSED ON THE FOLLOWING CRUCIAL OHS AREAS:

- Safe Design
- Forestry Industry
- Health Services
- Community Services
- Retail, Wholesale and Storage Industry
- Rural and Regional Industry
- Hospitality Industry
- Transport Industry
- Manufacturing Industry
- Education Industry
- Construction Industry.

SAFE DESIGN WORKING GROUP

The Safe Design Working Group, chaired by the Director-General of Premier's Department, Dr Col Gellatly, focused on ways to prevent workplace injuries through improving the design of building, plant, materials and substances.

"We should emphasise that OHS consultative arrangements should include all aspects of safe work design," said Dr Gellatly. To achieve this, the Group agreed that the NSW Government should approach university vice-chancellors to discuss how to ensure a greater focus on OHS in the curriculum of design professionals.

"The NSW Government should undertake to raise with Standards Australia how current and any new standards can better promote and address safe work design principles," said Dr Gellatly.

FORESTRY INDUSTRY WORKING GROUP

Workers compensation claims in the forestry and logging industry are very high – around 33 per 1,000 employees – despite recent efforts to improve workplace safety in an industry which covers a diverse range of activities including harvesting, haulage, sawmilling and warehousing.

The Forestry Industry Working Group, chaired by the Minister for Forestry the Hon. Kim Yeadon MP, agreed to improve these statistics and reduce workplace injuries by 40 per cent over the next five years in the following common workplace injury categories:

- employees being hit by falling objects
- manual handling
- employees being hit by moving objects.

Importantly, said Mr Yeadon, the Group agreed on “targets for no deaths in the industry within five years.”

To achieve these targets, the Working Group recommended that a number of measures be adopted, most importantly to develop a Code of Practice for safety in the forestry and harvesting industry to be released by October 2002.

To support the Code, the Group also recommended the establishment of a forest industry safety council – comprising peak body industry representatives – to develop a framework for collecting data about workplace injuries.

“[This] council could investigate linking government investment into OHS outcomes,” advised Mr Yeadon.

HEALTH SERVICES WORKING GROUP

Chaired by the Hon. Ron Dyer MLC, the Health Services Working Party investigated solutions to OHS issues in a sector that includes hospitals, nursing homes, pathology, ambulance services, physiotherapists, chiropractors and optometrists.

The main OHS problems for this industry include manual handling injuries, falls, occupational stress and the lack of safely-designed equipment and buildings. Mr Dyer emphasised the need for staff training and consultation as part of the criteria for purchasing and construction.

The Group made a number of significant recommendations including an agreement to set appropriate targets for the health industry to reduce workplace injury and illness, to examine workplace incidents as OHS indicators and to consult with the Department of Public Works and Services about the safe design and renovation of health facilities and equipment.

COMMUNITY SERVICES WORKING GROUP

Including child care and other community services such as crisis care accommodation and respite residential care, the community service industry faces considerable challenges in terms of manual handling incidents. These incidents account for 36 per cent of all major workers compensation claims in the industry.

“The Working Group discussed specific hazards and risks such as manual handling, slips, trips and falls and violence – particularly violence against staff by clients,” said the chair of the Group, the Hon. Reverend Fred Nile MLC.

The Group made a number of resolutions including one to improve education and awareness throughout the sector on issues such as violence, manual handling and stress.

The Group agreed to adopt targets to reduce workplace illness and injury by 40 per cent over the next 10 years.

RETAIL, WHOLESALE AND STORAGE INDUSTRY WORKING GROUP

This diverse industry includes retailing and wholesaling of food, drink, tobacco, clothing and footwear, and household goods where again, manual handling is a primary concern in maintaining workplace safety.

“The first thing we did in this Working Group, was confirm the agreement of the target for the retail and wholesale industry for a reduction by 40 per cent in the level of injury by 2012,” said the Retail, Wholesale and Storage Industry Working Group Chair, Mr Gerard Martin MP.

The Working Group made the following recommendations:

- to develop and implement a manual handling tool kit targeted at small business
- to secure funding to develop solutions to redesign workplaces to eliminate manual handling hazards
- to provide a curriculum for public and private schools on manual handling, lifting and body movement.

RURAL AND REGIONAL INDUSTRY WORKING GROUP

The Rural and Regional Industry Working Group, chaired by the Minister for Agriculture the Hon. Richard Amery MP, identified the special needs of an industry where a workplace is often also a home and a place of recreation.

This industry sector includes a wide range of activities from cotton ginning and shearing to grain, beef and cattle farming. The industry has a high rate of injuries and fatalities – around 33 workers per thousand are injured every year.

Continued on page 6

Reports from the **Industry** Working Groups

The Group identified the most common causes of workplace injuries as manual handling, falls from heights, trips, workers being hit by moving objects and animals, and farm machinery and vehicles.

Mr Amery advised that the Working Group agreed to “a reduction of incidents of 30 per cent over the next five years”.

To achieve this, they recommended a number of initiatives including introducing education campaigns across the industry, improving risk management training through initiatives such as WorkCover’s Premium Discount Scheme and establishing a pilot ‘safe town’ program to encourage community participation and partnership in improving rural and regional safety.

HOSPITALITY INDUSTRY WORKING GROUP

Chaired by the Minister for Gaming and Racing, The Hon. Richard Face MP, the Hospitality Industry Working Group covered a diverse range of occupational areas including accommodation, cafes and restaurants, clubs, pubs, taverns and bars.

The main OHS issue identified by the Hospitality Industry Working Group was manual handling incidents such as slips, trips and falls – occurrences that make up the highest number of workers compensation claims in the industry.

Other significant causes of workplace injuries included fatigue, inadequately targeted recruitment practices, lack of OHS education in both high schools and the TAFE system and the lack of industry-wide, coordinated communication systems.

The Minister also identified that the Working Group needs to “address the needs of non-English speaking background groups working in specific sectors of the hospitality industry.”

The Hospitality Industry Working Group agreed to meet in 12 months’ time to measure the progress made on improving workplace safety.

TRANSPORT INDUSTRY WORKING GROUP

The Transport Industry Working Group, chaired by Mr Tony Stewart MP, included representatives from the aviation, road transport and haulage, stevedoring, rail infrastructure and transport and bus transport sectors.

“There is quite a diverse range of regulators involved in the industry, which has created certain problems because of the bureaucracy and the labyrinth of regulations involved in the jurisdiction,” said Mr Stewart.

To remedy this situation, one of the main recommendations of the Group was to create an industry forum comprising all regulatory agencies to be convened by the Minister or the Premier.

The Group also agreed to develop and implement a Memorandum of Understanding for the industry to set safety targets covering the following critical areas:

- fatigue and other OHS problems caused by the competitive culture of the industry
- noise levels and vibration
- drug and alcohol strategies
- stress and repetitive strain injuries
- workplace violence
- manual handling.

MANUFACTURING INDUSTRY WORKING GROUP

The Manufacturing Industry Working Group, chaired by the Hon. Peter Primrose MLC, operated under the principle that “all workplace injury and illness can be prevented.”

The manufacturing industry comprises a number of sectors including meat, poultry and seafood, bread and pastry, iron and steel, and textiles and fabric manufacturing, employing around 11 per cent of the NSW workforce.

The Group recommended a broad range of proposals including undertaking workplace OHS promotion activities for targeted industry sectors, including small business.

A major recommendation formulated by this Group involved the need for the industry to examine supply chain issues more closely.

Some of the solutions discussed included developing educational materials such as checklists and hazard fact sheets for employees in high-risk occupations, and undertaking a joint initiative with the Government to implement campaigns about manual handling and noise levels to outworkers and developing and implementing a compliance strategy for plant designers, installers, suppliers and importers.

EDUCATION INDUSTRY WORKING GROUP

Chaired by Mr Neville Newell MP, the Education Industry Working Group comprised representatives from both government and non-government education sectors, including delegates from employer and employee groups.

The three major issues for this industry were considered to be violence, manual handling and stress.

One of the aims to come out of this Group is to ensure that educational institutions are models of OHS best practice, not only to ensure the safety of staff and students, but to instill an awareness of OHS in students, for when they eventually leave school and enter the workforce.

The Group set a target to reduce workplace incidence rates by 15 per cent by 2005 – subject to resource availability.

The main OHS issues identified by the Hospitality Industry Working Group were manual handling incidents such as slips, trips and falls.

CONSTRUCTION INDUSTRY WORKING GROUP

Chaired by the Hon. Morris Iemma, Minister for Public Works and Services, and Dick Persson, Director-General of the Department of Public Works and Services, the Construction Industry Working Group identified three main areas of OHS risk – manual handling, falls and trips, and noise exposure.

One of the difficulties raised by the Working Party involved the collection of data on workplace incidents. The Working Group felt that more data is needed before they can develop more specific strategies.

The Group agreed to adopt a target to reduce workplace injury rates by 20 per cent over the next five years in all categories. In addition, they resolved to achieve a 10 per cent reduction in injury rates over the next two years.

To find out more detail about the outcomes of the NSW Workplace Safety Summit Working Groups, visit the WorkCover website at http://www.workcover.nsw.gov.au/html/pdf/nsw_safety_summit.pdf



There's no such thing as a workplace

Accident

THE HON. CLINT DUNFORD, MINISTER FOR HUMAN RESOURCES AND EMPLOYMENT in the Canadian province of Alberta, delivered one of the most lively presentations as one of the international guests at the recent NSW Workplace Safety Summit.

His provocative speech questioned the often-used word 'accident' in the occupational health and safety (OHS) profession.

"I don't think the word 'accident' has any place in the workplace health and safety vocabulary," he told the audience. "Every injury and every fatality is preventable, so I think we all need to start right now and remove 'accident'."

By abolishing the term 'accident' from the language of OHS, Mr Dunford believes that both employers and employees will be more likely to accept the onus of responsibility for workplace safety.

GOOD OHS MAKES GOOD BUSINESS SENSE

Throughout the world, workplace safety is mainly considered to be primarily a social policy issue. While this is still the case in Alberta, they are currently trying to make the shift to a more economic focus for OHS by encouraging business to operate under the motto "it makes good business sense to have an injury-free workplace."

"A bottom-line issue that can either cost businesses millions of dollars damage – damage, of course, to the human capital that they have, damage to equipment, damage to their reputation if some one dies at that particular site," is the focus in Alberta at the moment said Minister Dunford.

Photo: Frank Cahill



Right: "I don't think the word 'accident' has any place in the workplace health and safety vocabulary," said the Hon. Clint Dunford, Minister for Human Resources and Employment in Alberta, Canada.

INEXPERIENCED WORKERS MOST AT RISK

Like in Australia, Canadian workplace incidents happen most frequently to inexperienced workers. In Alberta, one-third of all lost time claims are from workers in their first six months on the job, and one-half in their first year.

These statistics frequently apply to younger workers and those going through – what is now a common situation – career transition. To remedy this, the Ministry of Human Resources and Employment is undertaking an extensive communications campaign.

The Ministry is also making efforts to target school children under the Job Safety Skills Society (JSSS), which teaches workplace safety to students as part of their high school curriculum. Beginning with just four schools in 1995, the program now services over 600 high schools in the province.

TARGETING UNSAFE EMPLOYERS

In Canada, "less than one per cent of employers are responsible for 26 per cent of our work site incidents," explained Mr Dunford. "We're trying to make sure that freedom of information and protection of privacy legislation ... is not getting in the way of what we need to do in terms of workplace health and safety by publishing and pointing out to the public – and of course to employees and other employers as well – some of the best and some of the worst workplace performances."

Currently in the Alberta courts, initiatives are underway to impose alternative sentencing to the standard procedure of issuing fines for OHS breaches. "Specifically we would be looking at court orders where employers would have to provide safety training to employees but, more importantly, they would also have to report to their entire industry on how the incident took place and how they will be preventing it in the future," Mr Dunford advised.

"Health and safety management systems do more than just make workplaces safe or reduce costs and save money. They reduce the emotional stress and strain to workers and their families, and we can't attach a statistic or a price to that," he told the delegates.

To find out more about Alberta's Government's workplace safety initiatives, visit their Website at www.whs.gov.ab.ca

Unions

strongly represented at the NSW Workplace Safety Summit

“THE CHALLENGE WE FACE IS TO WORK

COOPERATIVELY in this and other forums to develop strategies that not only address specific hazards, but change the culture in workplaces with respect to safety,” said Mr John Robertson, Secretary of the NSW Labor Council, in his address to the NSW Workplace Safety Summit.

Mr Robertson told the delegates that developing workplace safety targets was an initiative strongly supported by the Labor Council.

“The Minister has announced a target of 40 per cent reduction in workplace accidents. I think that is a laudable one and one that I certainly, the Labor Council, and I believe, the trade union movement embrace wholeheartedly,” he said.

I am calling on the Government to establish a specialist manslaughter unit within WorkCover to review every workplace death.

NEW OCCUPATIONAL HEALTH AND SAFETY LEGISLATION WELL RECEIVED BY UNIONS

Mr Robertson said that the NSW Labor Council applauded the recent changes to the occupational health and safety (OHS) act and regulations.

“The new occupational health and safety regulations are a positive step forward in beginning that cultural change,” said Mr Robertson.

“The creation of elected workplace safety representatives will pitch the focus of safety clearly at the enterprise level, which is where it ought to be, and give workers ownership of their safety issues,” he added.

The Labor Council also saw the requirements in the new legislation for employers to consult with employees about workplace safety as a positive initiative.

ENCOURAGING GOOD EMPLOYER OHS PERFORMANCE

Mr Robertson stressed the need to reward employers with good workplace safety records to ensure their focus on OHS does not put them at a competitive disadvantage with employers who neglect workplace safety.

“We need to intervene in the marketplace to ensure that safety becomes a rational act of business,” said Mr Robertson.

CRIMES ACT AND INDUSTRIAL MANSLAUGHTER

Mr Robertson's presentation also focused on the need to bring down the full force of the law on employers who do not comply with OHS standards, because “a workplace injury or death is a serious crime and should be treated as such,” he said.

“If the government really wants to change the culture, it needs to look further into criminal law and sanctions made available under the *Crimes Act*.”

“I am calling on the Government to establish a specialist manslaughter unit within WorkCover to review every workplace death, to report to the Minister on whether there are grounds to refer incidents to the police and, if there are, have those employers charged with manslaughter,” said Mr Robertson.



Photo: Frank Cahill

Left: “We need to intervene in the marketplace to ensure that safety becomes a rational act of business,” said John Robertson of the NSW Labor Council.

OHS Initiatives

in the United Kingdom



FORMER DEPUTY-GENERAL OF OPERATIONS in the United Kingdom Health and Safety Executive, Mr David Eves, was the second international speaker to address the NSW Workplace Safety Summit.

After the election of the Labour government in 1996, a renewed vigour revitalised thinking on health and safety issues in the United Kingdom. "There was a consultation exercise with people like you – stakeholders," said Mr Eves, that involved representatives from employers, trade unions, and local and national governments.

Over the next year, this group set about establishing occupational health and safety targets for the first time in the country since 1883.

"We estimated that health and safety failures were costing the British economy between 14 and 18 billion pounds sterling a year," said Mr Eves. This represented around three per cent of the nation's GDP or 25,000 workers suffering injury or illness every year.

These statistics provided the driving force behind reforms in the British OHS system. In 2000, targets were set to reduce the number of working days lost in Britain by 30 percent and to reduce the incidence rate for fatal and major injuries by 10 per cent by 2010.

"The strategy required us to persuade all other parties – that's employers, managers, trade unions, insurance companies, trade associations, and workers – to do their bit in partnership, to recognise there's some mutual self-interest here and some benefits from doing so," he said.

The first step in getting the program started involved stakeholders identifying the industrial sectors with the highest risk, identifying the most common types of incident affecting workers and then setting priorities for action.

"The Health and Safety Commission established eight priority programs across industry generally. These were things like slips, trips and falls, which frankly we had never tackled; simple – but too difficult," he explained.

The main industrial sectors targeted by the program were construction, agriculture and health services where some of

Photo: Frank Cahill



Right: "We estimated that health and safety failures were costing the British economy between 14 and 18 billion pounds sterling a year," said Mr David Eves, former Deputy-General of Operations in the UK Health and Safety Executive.

the main OHS problems included repetitive strain injuries and workplace stress.

“The real, critical step – the vital step – is to persuade others to come on board and even set targets for themselves. We’ve already had some success here,” said Mr Eves. This step has been so successful, in fact, that some stakeholders such as trade associations and trade unions are now setting their own targets.

“These aren’t targets which are being set by the regulator in some sort of ivory tower. This is genuine ownership of these targets by industries,” said Mr Eves.

OHS AND CORPORATE RESPONSIBILITY

Although financial costs relating to poor OHS practice are forcing some organisations to take the matter more seriously, changes are also coming about as a result of growing concerns about corporate governance and the drive for corporate social responsibility, Mr Eves told the audience.

To help the corporate sector better manage OHS, the Health and Safety Executive has produced a ready reckoner to help firms to calculate the losses they are incurring as a result of health and safety failures.

Accompanying this renewed focus on OHS in the United Kingdom, a number of major incidents – such as railway accidents – occurred.

“These have been followed by public inquiries, highly publicised prosecutions, consequent loss of reputation and then a growing debate about the need for tougher laws and penalties,” he explained.

Like in Alberta, Canada, Britain is “naming and shaming” companies with bad OHS records. “We publish a list annually of firms that have been prosecuted, but we also have an annual safety awards competition and that’s becoming quite a popular thing,” he said. So popular in fact that last year 46,000 firms wanted to participate in the awards scheme.

For more information on the Health and Safety Executive in Britain, visit their website at www.hse.gov.uk



Disputed Injury Claims Resolved Quickly at the Workers Compensation Commission

THE WORKERS COMPENSATION COMMISSION, established earlier this year, is now in full operation.

An independent statutory tribunal, the Commission provides fairer, quicker and simpler ways to settle workers compensation disputes.

“The Workers Compensation Commission represents a significant change in the way disputed injury claims are resolved,” says the President, Justice Terry Sheahan.

The Commission is accessible and not intimidating for injured workers. Instead of the traditional courtroom, the Commission’s conference style meetings, beginning with a teleconference, allow for a more conciliatory approach and resolution between relevant parties.

The emphasis is on participation, and workers have a more active role to play in their disputes than in the adversarial system.

“The Commission’s processes have been designed to allow settlement to take place at any stage,” explains Justice Sheahan. “In fact, the legislation requires that every endeavour be made to bring parties to settlement as early as possible.”

Agreement may be reached prior to or at the teleconference, and prior to or at the face-to-face conciliation conference. A matter can also be determined by the Arbitrator ‘on the papers’ without the need for a conciliation conference.

Preliminary figures to June 30 show that the majority of cases or ‘matters’ have been resolved quickly, with only a few

disputes proceeding to the stage of a conciliation conference.

A number of recent matters have been resolved ‘on the papers’. These include the case of a worker who suffered chest and neck injuries when her car collided with another car in the course of employment, and a worker who suffered neck, shoulder and lower back injuries after slipping on a wet toilet floor at work.

In other recent disputes an applicant was deemed unfit for work and the respondent was ordered to pay compensation, and another respondent ordered to pay an applicant for new hearing aids and batteries.

“The Commission ensures injured workers get an early resolution to their disputes, and that any entitlements are correct and paid promptly,” says Justice Sheahan.

WCC TERMINOLOGY

Respondent

A Respondent is a person (or party) who responds to an Application from another person (or party) who starts proceedings in a dispute.

‘On the Papers’

An Arbitrator can decide on the evidence before him or her, without the need for the parties to attend the hearing.

Party / Parties

An injured worker, employer, or insurer involved in a dispute is referred to as a party.



Right: WCC President, the Hon. Terry Sheahan

More success for WorkCover's Premium Discount Scheme

"AT SYLVANVALE HANDICAPPED CHILDREN'S CENTRE, NSW we have just successfully completed our first Premium Discount Scheme (PDS) audit and received a 15 per cent discount – saving the organisation around \$60,000," said Stephen Williams, manager of training and safety for the Centre.

"Not only have we saved money this time, we will receive the long term benefit of reduced workers compensation premiums and have a happier, healthier workforce," he added.

The Sylvanvale Handicapped Children's Centre, NSW provides a range of services and facilities for people with an intellectual disability. The services they provide range from an early intervention program for pre-school-aged children, educational centres for students aged from between four - 18 years and a number of residential services.



Above: The Sylvanvale Early Learning Service – one of the many facilities provided at the Sylvanvale Handicapped Children's Centre.

The Centre also has an industries program providing vocational activities and living skills for adults.

With such a diverse range of services, the Centre has specialised occupational health and safety (OHS) needs. "We found it necessary to shop around to find the best Premium Discount Advisor to suit our particular needs," said Mr Williams.

Upon advice from their Premium Discount Advisor (PDA), the first major step for Sylvanvale was to implement effective risk assessment procedures.

"During the risk assessment process we consulted widely with staff to ensure that all work practices were assessed. From the risk assessment process, the major OHS issues identified were violence, stress and manual handling incidents – resulting mainly in soft tissue and back injuries," he explained.

"As a result of our consultation with staff, we are developing a strong culture of workplace safety. With staff input we have now produced a written task analysis of all activities that include an OHS component," said Mr Williams.

"One of the major outcomes of the risk assessment process was establishing the Positive Behavioural Support Unit (PBSU) to develop a case management approach with clients to help reduce the incidences of violence against staff," said Mr Williams who chairs the PBSU.

"The PDS process fitted in well with our existing data control, document and quality management systems," he added.

We hope that by successfully participating over the full three years, we will be able make considerable savings on our workers compensation premiums – money that we will be able to spend on employing new staff and on much – needed new equipment.

"Sylvanvale Handicapped Children's Centre, NSW, should be congratulated on achieving this result. WorkCover would encourage any employer from a higher risk industry, or with a significant claims record, to consider using the PDS as a way of improving their safety record and reducing their premium," said the coordinator of WorkCover's PDS Unit, Mark Nolen.

Sylvanvale Handicapped Children's Centre, NSW, found out about the PDS through WorkCover's website. If you would like to participate in the Scheme, visit our site at <http://www.workcover.nsw.gov.au/html/pdscheme.asp>

WorkCover **moving** to the Central Coast

ON 21 OCTOBER 2002, AROUND 500 WORKCOVER STAFF WILL MOVE to new offices in Gosford on the NSW Central Coast.

To ensure that fitout components such as workstations, furniture, flooring and the workplace environment met high workplace safety standards, WorkCover appointed a Technical Advisory Committee of staff comprising technical experts and ergonomists.

BENEFITING THE LOCAL COMMUNITY

WorkCover's relocation to the Central Coast will also benefit many local businesses. "We issued an Expression of Interest for local businesses to supply goods and services needed by a large organisation such as WorkCover," said WorkCover's Assistant General Manager, Philip Reed.

"So far the response has been extremely positive and WorkCover is looking forward to developing close working relationships with local businesses."

ENVIRONMENTALLY SUSTAINABLE DESIGN

The new WorkCover office fitout has been designed to conform to environmentally sustainable design criteria. Some initiatives include:

- limiting the use of toxic adhesives
- using paint that contains low-levels or, where possible, no volatile organic compounds (VOCs) such as lead, mercury, chromium and chromates
- using pure blend textiles on fabric panels to ensure ease of recycling
- using naturals for materials flooring.

Contacting WorkCover NSW

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WorkCover Assistance Service 13 10 50 (unchanged)

Below: WorkCover's new Head Office in Gosford.





Above: Satisfied CAS client, Tony Connell.

Injured

Worker has success with CAS

WORKCOVER'S CLAIMS ASSISTANCE SERVICE (CAS)

provides a vital link between injured workers, employers and insurers.

The Service provides up-to-date, plain English information to help all parties negotiate the workers compensation system with greater confidence and understanding.

Such was the case of a recent caller, Tony Connell, from the North Coast of NSW. When Tony called the CAS, he had almost given up hope. His insurer was making irregular monthly payments and had not processed his medical reimbursement claims for prescription costs.

He was also having trouble obtaining group certificates from previous employers that he needed for his workers compensation claim.

After three years of continuous problems, CAS officer Julie Mercer was able to resolve Tony's problems in four days.

"It feels like someone lifted two bags of cement off my shoulders," said Mr Connell, a truck driver for 28 years who

suffered serious neck injuries at work that eventually required surgery.

"In four days I received \$640 back-money for prescriptions, and my monthly insurance payment arrived on time," said a relieved Mr Connell.

"My advice to anyone having problems with a workers compensation claim is to ring the CAS. I just wish I had known about the Service earlier," he added.

"As can be seen from Julie's intervention on Tony's behalf, CAS can help injured workers who have had long running problems with the workers compensation system. An important factor in our success is the increasing level of cooperation between the CAS officers and insurer claims staff," said WorkCover's Trevor Zabow, Manager of the CAS.

"CAS has been able to develop credibility with insurers which goes a long way toward successful negotiations," he added.

If you require information about the workers compensation system, contact CAS on 13 10 50.

New Inspectors

for WorkCover

ON 31 JULY 2002, WORKCOVER NSW ACCREDITED 19 trainee inspectors.

"The presentation of Instruments of Appointment to this group means they have reached a major milestone in their 12-month training toward becoming fully-fledged inspectors," said Minister for Industrial Relations and Special Minister of State, the Hon. John Della Bosca MLC.

In the company of experienced mentors, the 19 trainees will now be able to perform the duties of a WorkCover inspector.

Upon graduation in November 2002, the trainees will receive a Diploma of Injury and Illness Prevention and Management.

In addition, on 3 August 2002, 39 inspectors received their graduation certificates from the Parliamentary Secretary, the Hon. Ian Macdonald MLC at the University of Sydney. This means that they are now fully-qualified as WorkCover inspectors.

"With 301 positions, WorkCover has the largest and most active workplace safety inspectorate in Australia," said Minister Della Bosca.

Promoting **workplace** safety in the bush

WORKCOVER TOOK THE OCCUPATIONAL HEALTH AND SAFETY message to the recent Ag-Quip Rural Field Day at Gunnedah held from 20-22 August 2002.

Held in a number of locations throughout NSW, the annual events provide an opportunity for exhibitors and the community to come together and share ideas, technology, new farming methods, conduct business and socialise. Exhibitors include machinery vendors, feed manufacturers, banking institutions and government departments.

"WorkCover attends Rural Field Days in an advisory capacity and visitors to our tent feel comfortable that they are meeting on neutral ground in a friendly and non-threatening environment," said Terry Atkins of the WorkCover Rural Team.

"Some people travel hundreds of kilometres to attend a field day," explained Terry. "It is a one-stop-shop for them to catch up with people, find out all the new trends in their industry and make a few business deals or buy new stock or equipment."

PROMOTING ROPS AND SHEAR SAFETY

At the Field Days, WorkCover promotes the NSW Government's rural workplace safety initiatives including two important rebate schemes: the Roll Over Protection Structure (ROPS) and ShearSafety.

The ROPS scheme gives rebates to farmers who fit these structures to their tractors. ShearSafety provides financial incentives to those in the wool industry to upgrade plant and equipment.

At the Gunnedah Ag-Quip Rural Field Day, the Minister for Industrial Relations and Special Minister of State, the Hon. John Della Bosca MLC presented a number of rebate cheques to farmers.

Minister Della Bosca presented a \$400 cheque to farmer Bruce Crosby from Moree for fitting ROPS to two of his tractors.

"It is gratifying to announce that the number of tractors fitted with Roll Over Protective Structures under the ROPS rebate scheme has now reached 6,000, which represents a \$1.2 million investment by the Government," said the Minister.

The Minister also took the opportunity to present the first \$60 ShearSafety rebate cheque to shearer Robert Sevil, of Bunna Bunna station, who had recently upgraded his shearing handpiece to a safer worm drive model.

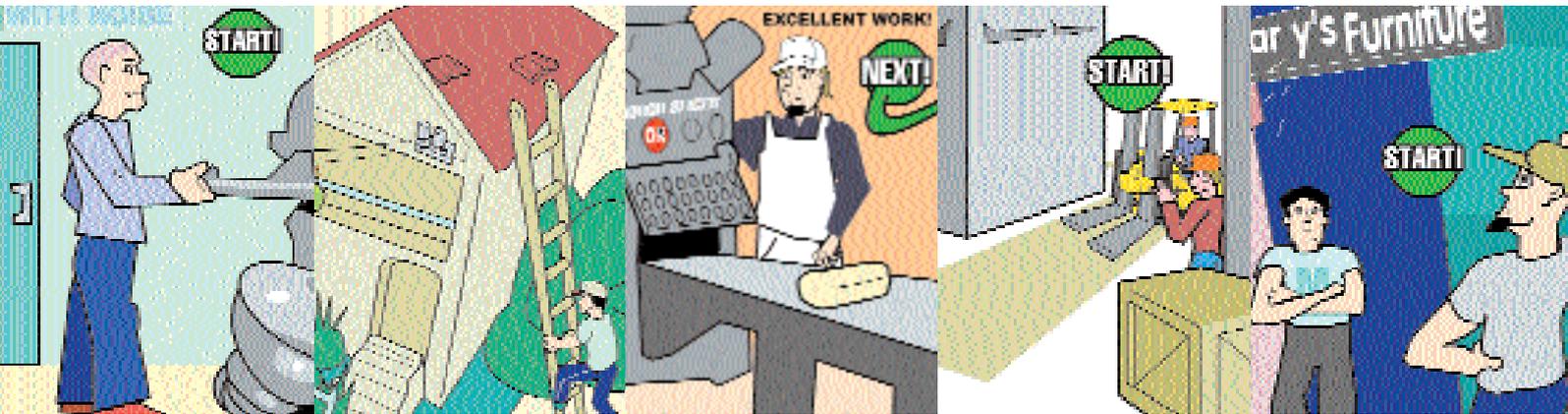
To find out more about upcoming Rural Field Days, contact the WorkCover Rural Safety Hotline on 1800 300 377.



Left: Minister Della Bosca presents Moree farmer Bruce Crosby with a \$400 cheque for fitting ROPS structures to two tractors at the Rural Field Day at Gunnedah.

WorkCover wins international

Website award



WORKCOVER'S INNOVATIVE, online tool to help young people understand workplace hazards won an international award at the XVIth World Congress on Safety and Health at Work. The site won the award in best web-based training category of the Film and Multimedia Festival held as part of the Congress in Vienna on 30 May 2002.

The Festival's international jury described the site as "innovative, well designed and cool, it's attractive for young workers."

Moving through the interactive site, visitors experience blood spills on a warehouse floor as a forklift backs over a worker, electrocuted skeletons flashing on screen as metal tools touch live wires, and the slicing off of fingers by exposed machine blades.

It may be graphic, but it's not all carnage and occupational health and safety disasters. The interactive, multimedia site tests young people's understanding of workplace hazards and gives advice on how to assess and manage risks.

The site features a number of cartoon characters including a baker, forklift driver, storeman, electrician and spray painter in various workplace scenarios.

The user can manipulate these online scenarios to see and hear what happens if they fail to make the appropriate workplace safety checks. At the same time they learn what the correct procedures are.

Careless workers meet gory ends, losing digits and scalps, crushed by machinery and falling from heights. Others suffer back strain and hearing loss.

At the end of each module, users take a test and, if they pass all the modules, they receive a certificate signed by the NSW Special Minister of State and Minister for Industrial Relations, the Hon. John Della Bosca MLC.

During its busiest month in March 2002, the site received about 2,000 hits a day.

To visit Safety Zone, click on Occupational Health and Safety link on WorkCover's home page at www.workcover.nsw.gov.au

Youth Pocketbook

providing information for young workers

"THIS GREAT NEW RESOURCE WILL PROVIDE MUCH NEEDED ASSISTANCE to young people as they enter an increasingly complex and demanding work environment," said NSW Special Minister of State and Minister for Industrial Relations, the Hon. John Della Bosca MLC, at the launch of the youth pocketbook, *Starting Work – Know Your Legal Rights*, at the NSW State Library on 21 August 2002.

A joint publication by WorkCover and the Department of Industrial Relations (DIR), the pocketbook contains user-friendly information on issues such as occupational health and safety (OHS), working conditions, rates of pay, and workers' rights and entitlements.

Research shows that young people are particularly susceptible to workplace injury and are also at risk of being exploited by disreputable employers.

"To ensure that the needs of this target group were met, WorkCover and DIR consulted widely with young people aged between 15 and 22 years in the development phase of the pocketbook," said WorkCover's Roslyn Harrison.

At the launch Janelle Barrett from the Youth Advisory Council – a body established by the NSW Government to provide

advice on issues that affect young people – endorsed the initiative as a positive step forward in informing young people of their rights and providing them with contacts to source more information.

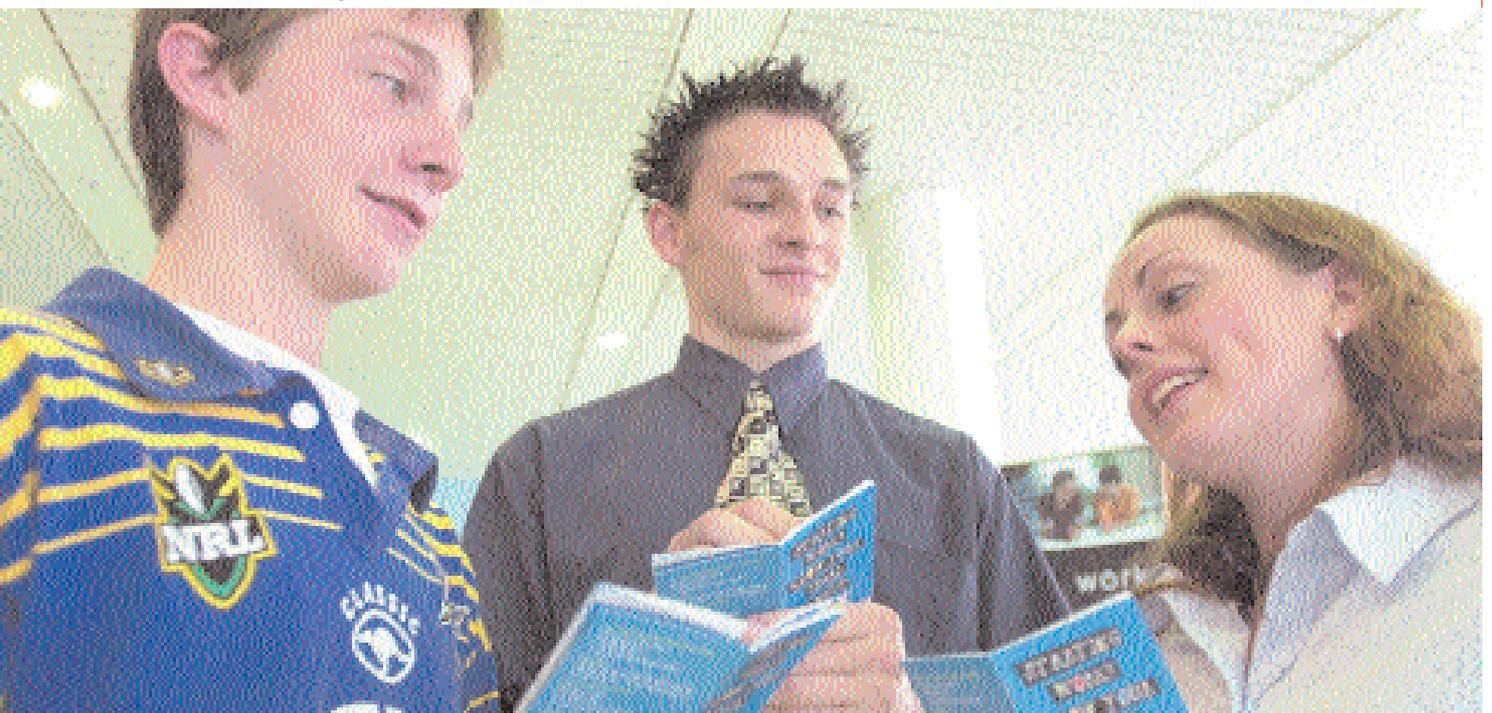
"I commend WorkCover and the DIR for developing this pocketbook. I know how confusing and hard it can be for young people starting a new job. Most of the time we are just happy to have a job and are afraid of asking questions and rocking the boat. This is a great resource for a first point of contact," said Ms Barrett.

"It is great to not only have information on workers' rights and entitlements but details of internet addresses to access further information."

The pocket book-size guide includes a tear off card with key contact numbers for easy reference. It will be distributed to all high schools, TAFE's and Centrelink Offices throughout NSW. To receive your free copy of *Starting Work – Know Your Legal Rights*, phone WorkCover's Publications Hotline on 1800 658 134.

Below: Paul Mackay from the Young People's Reference Group, apprentice Todd Connelly and Janelle Barret from the Youth Advisory Committee at the launch of Starting Work - Know Your Legal Rights.

Photo: Natalie Boog



NSW GOVERNMENT TARGETING YOUNG PEOPLE

"The pocketbook has been developed as part of the Carr Government's new youth policy, Working Together – Working for Young People, a five year, whole-of-government plan for improving services to young people," said Mr Della Bosca.

The policy aims to ensure that young people will have opportunities for rewarding and positive lives now and in the future. It works on the principles of consultation, participation, opportunity, early intervention and prevention and encourages the active cooperation between government and non-government youth services.

WorkCover and the DIR contributed extensively to the Learning and Earning section of the youth policy, which outlines a strategy to support young people in achieving the best outcomes from their educational and work commitments.

"The policy and the guide were developed with extensive input from young people and cover key areas of concern, major needs and interests," said Mr Della Bosca.

The research, analysis and planning carried out by WorkCover and the DIR for the Youth Policy has been channelled into the development of the *Starting Work* pocketbook.

To find out more about the Government's Youth Policy, visit the website at www.youth.nsw.gov.au

Photo: Natalie Boag



Right: "This great new resource will provide much needed assistance to young people," said Minister Della Bosca at the launch of *Starting Work - Know your Legal Rights* at the NSW State Library.

HOW THE POCKET BOOK IDEA CAME ABOUT

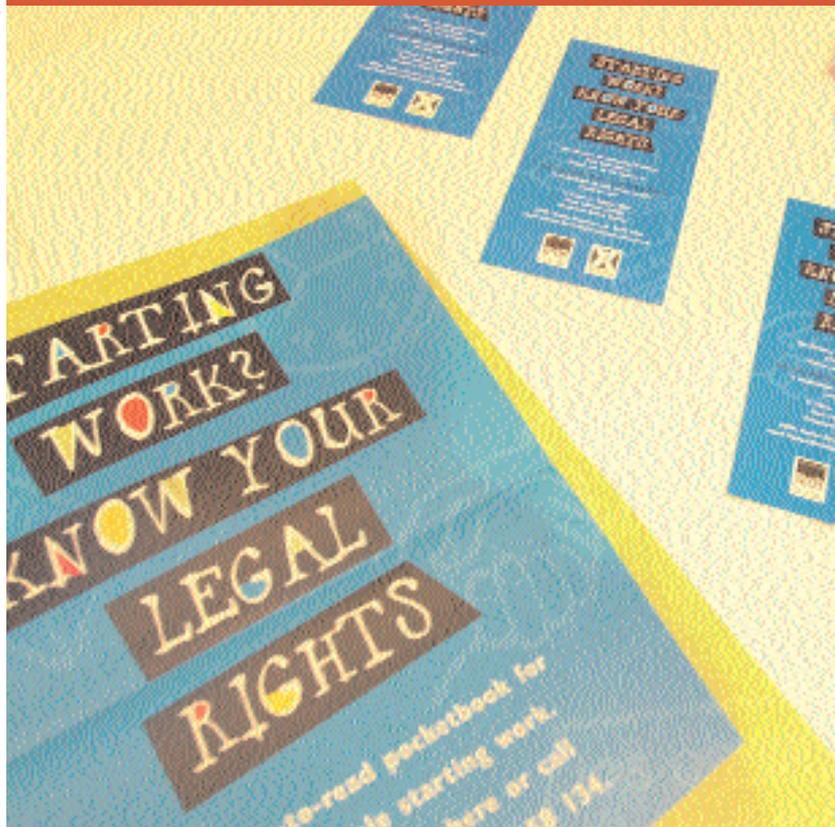
The idea for the pocketbook was born out of *Hot Topics*, an information series about recent changes and current debates in the law in NSW. It is a community legal education initiative of the Legal Information Access Centre (LIAC).

Hot Topics is designed to complement the Higher School Certificate syllabus (Legal Studies and other options), so teachers and students will also find it a useful resource.

Hot Topics issue 37 dealt with legal issues surrounding youth employment and was jointly written by WorkCover and DIR. After writing this article both agencies realised that there was a need to develop a quick and easy information source for young workers about their rights and responsibilities in terms of OHS and workers entitlements.

To download a copy of *Hot Topics*, visit LIAC's website at www.slsw.gov.au/liac

Photo: Natalie Boag



Prosecution Highlights

COMPANY FINED AFTER WORKER'S ARM CRUSHED

Company: Woolworths

Fine amount: \$105,000

Inspector: Ian Blume

Case details: The Industrial Relations Commission in Court Session fined Woolworths \$105,000 after an incident at its Warringah Mall supermarket where a worker had his right arm crushed in a bailing press machine.

At the time of the incident, the worker was attempting to clear cardboard from the bailing press, at the same time he pressed the emergency stop button on the machine. The emergency button failed to work and the man's right arm was trapped in the machine.

Woolworths pleaded guilty to a breach of Section 15(1) of the *Occupational Health and Safety Act 1983*.

PAINT COMPANY FINED AFTER WORKER CRUSHED

Company: Orica Australia Ltd, trading as Dulux

Fine amount: \$90,000

Inspector: Paul Mansell

Case details: The failure of a power hoist caused serious crush injuries to a contract worker which resulted in a Padstow company being fined \$90,000 by the NSW Industrial Relations Commission in Court Session.

At the time of the incident, the worker lost consciousness after the power hoist jammed him against the inside of a storage tank causing fractured ribs and vertebrae, and severe bruising.

The company, Orica Australia, pleaded guilty to a breach of Section 16(1) of the *Occupational Health and Safety Act 1983*.

COMPANY FINED AFTER WORKER LEFT PARAPLEGIC

Company: McDonald's Australia Ltd

Fine amount: \$180,000

Inspector: Louise May

Case details: The incident occurred when a Ronald McDonald show stage was being unfolded from a McDonald's truck which had been custom built to transport the Ronald McDonald show to the company's restaurants around NSW.

The truck's driver suffered serious spinal cord injury, spinal fractures and a dislocated shoulder when he unlocked a latch holding the stage vertical to the side of the truck. The stage fell, striking him on the head and neck.

As a result of his injuries the employee, aged 22-years at the time of the incident, is confined to a wheelchair.

McDonald's Australia pleaded guilty to a breach of Section 15(1) of the *Occupational Health and Safety Act 1983* in the NSW Industrial Relations Commission in Court Session. In her ruling, Justice Trish Kavanagh said McDonald's had failed to provide a safe system of work or sufficient training, and the associated risk to the safety of its employees was significant.

COUNCIL FINED OVER FATAL FALL

Company: Kyogle Shire Council

Fine amount: \$159,500

Inspector: Bill Keenan

Case details: The NSW Industrial Relations Commission in Court Session fined Kyogle Shire Council \$159,500 following the death of an employee who fell while making repairs to a timber bridge near Bonalbo.

The Council pleaded guilty to a breach of Section 15(1) of the *Occupational Health and Safety Act 1983* as a result of the worker falling 6.18 metres from a working platform suspended beneath the bridge.

The method of gaining access to the platform contravened all existing Regulations and Standards including the Council's own safety standards. Employees gained access to the platform by performing a dangerous balancing act without a harness or a safety net.

Disclaimer: This list is a selection of cases and does not represent all prosecutions undertaken and/or resolved by WorkCover NSW (under the *Occupational Health and Safety Act 1983*) in the three months since WorkCover News was last published.

latest Publications

Attitudes and Work Practices of Electricians in the NSW Construction Industry

Cat. No. 1001

The publication contains a summary of the findings of the Construction Industry Reference Group Electrical Working Party, established to review electrical accidents in the construction industry in NSW.



Transporting of Small Gas Cylinders Fact Sheet

Cat. No. 966

This Fact Sheet targets motorists and trades people who transport inflammable gases such as LP Gas and acetylene in their own vehicles. This useful publication provides a list of 'dos' and 'don'ts' for using and transporting gas cylinders and gives information on how they should be stored.

Publications for people with a visual impairment

In association with the Royal Blind Society of NSW, WorkCover recently produced a number of publications about the new occupational health and safety legislation aimed at people with a visual impairment. These publications are available in different formats including audiocassette, Braille, computer disk and large print.

The publications available are:

- *Summary of the Occupational Health and Safety Act 2000*
- *Summary of the Occupational Health and Safety Regulation 2001*
- *Occupational Health and Safety Consultation Code of Practice*
- *Risk Management at Work*

To obtain a copy of any of these publications, phone the Accessible Information Service, Royal Blind Society of NSW on 1800 644 885 and ask to speak to Jacky or Suzanna.

All WorkCover publications are available by phoning the Publication Hotline on 1800 658 134. Please provide the catalogue number when ordering. Some of our publications are also available electronically on WorkCover's website at www.workcover.nsw.gov.au/publications.

WorkCover Diary

September 2002 WorkCover Outcomes Training Course for Treatment Providers

This one-day course for physiotherapists, chiropractors and osteopaths will give you information and skills to improve your management of injured workers. Courses run every Saturday at a different location in NSW each week.

Registration is \$100 + GST. To register, fax Ljubica Dobos on (02) 9370 6110.

24-26 Sept 2002 Rural Field Day – Henty

Annual field day for rural workers to view new plant, techniques, safety procedures etc. WorkCover will promote ROPS and the ShearSafety program as a major theme this year.

For more information contact Helen Clothier on 9671 8713 or Barry Childs on 02 4222 7333.

15-17 Oct 2002 Rural Field Day – Orange

Annual field day for rural workers to view new plant, techniques, safety procedures etc. WorkCover will promote ROPS and the ShearSafety program as a major theme this year.

For information contact Paul Henry on 02 4222 7334 or Erin Stevens 9671 8725.

WHAT'S NEW ON OUR WEBSITE

Rural safety – farm injury facts

Every three days a person dies from a farm-related injury, making the rural sector an important target for occupational health and safety information. This mini-site was created to coincide with Rural Safety Week in July but will now be regularly updated over the next few months. It contains advice on improving safety in rural workplaces, details of rebates, upcoming activities and contacts with rural health organisations.

<http://www.workcover.nsw.gov.au>

Restructure of workplace injury management section

The Injury Management area of our website has received a facelift. Users will find new information and can now access searchable databases. They will also find the reorganised content easier to navigate. Key changes have been made to the medical services, treatment providers and occupational rehabilitation areas.

<http://www.workcover.nsw.gov.au/medical/mc-intro.asp>

Asbestos advice

Avoiding asbestos-related diseases is of continuing importance and we have recently released several web publications to help you work safely with asbestos. *Your*

Guide to Working with Asbestos is an easy to negotiate, 11-page document. It contains information on health hazards associated with asbestos, standards required to perform work and legal obligations.

http://www.workcover.nsw.gov.au/Publications/pdf/Asbestos_Guide_June_2002.pdf

See also *Asbestos - Guidelines for licensed asbestos removal contractors*. This document contains criteria and guidelines that set out WorkCover's requirements for the licensing of asbestos removalists.

http://www.workcover.nsw.gov.au/Publications/pdf/asbestos_removal_guidelines.pdf

WEBSITE REVIEW

We review new and useful websites.

National Farm Injury Data Centre (NFIDC)

The NFIDC holds statistics and reports on a range of agricultural OHS issues. It gathers information for projects such as the National Tractor Deaths Register and National Child Deaths on Farms Register. Reports profiling the health and safety risks associated with work in the sugarcane, sheep and wool, horticulture and cotton industries are available on the website. The NFIDC is part of the Australian Centre for Agricultural Health and Safety.

<http://www.acahs.med.usyd.edu.au/nfidc/index.htm>

WorkCover NSW Offices

*HEAD OFFICE

Office Hours 8.30am–5.00pm
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Phone (02) 9370 5000
Fax (02) 9370 5999
Postal Address:
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SYDNEY NSW 2001

*WorkCover Assistance Service

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Monday to Friday
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Phone 13 10 50
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Office Hours: 8.30am–4.30pm
Monday to Friday

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Fax (02) 4921 2929

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WOLLONGONG 2500
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Fax (02) 4226 9087

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Fax (02) 6041 2580

Batemans Bay

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BATEMANS BAY 2536
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Fax (02) 4472 5060

Blacktown

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BLACKTOWN 2148
Phone (02) 9671 8701
Fax (02) 9831 8246

Dubbo

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Phone (02) 6884 2799
Fax (02) 6884 2808

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TUGGERAH 2259
Phone (02) 4350 6370
Fax (02) 4353 2373

Goulburn

21–23 Clifford Street
GOULBURN 2580
Phone (02) 4822 1243
Fax (02) 4822 1242

Grafton

NSW Government Offices
49–51 Victoria Street
GRAFTON 2460
Phone (02) 6641 5111
Fax (02) 6641 5100

Griffith

NSW Government Offices
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GRIFFITH 2680
Phone (02) 6964 2027
Fax (02) 6964 1738

Hurstville

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HURSTVILLE 2220
Phone (02) 9598 3366
Fax (02) 9585 0261

Lindfield

345 Pacific Hwy
LINDFIELD 2070
Phone (02) 9936 3000
Fax (02) 9936 3030

Lismore

Suite 4, Level 4
Manchester Unity Building
29 Molesworth Street
LISMORE 2480
Phone (02) 6622 0088
Fax (02) 6622 0090

Liverpool

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157–161 George Street
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Fax (02) 6362 8820

Parramatta

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Fax (02) 9841 8490

Port Macquarie

Shops 1 & 2,
Raine & Horne House
145 Horton Street
PORT MACQUARIE 2444
Phone (02) 6584 1188
Fax (02) 6584 1788

Shellharbour

134–134a Lamerton House
Shellharbour Square
BLACKBUTT 2529
Phone (02) 4297 3796
Fax (02) 4296 8914

Tamworth

Shop 20, 341 Peel Street
TAMWORTH 2340
Phone (02) 6766 2490
Fax (02) 6766 4972

Lake Macquarie

9827 3600
Shop 2, 33 The Boulevard
TORONTO 2283
Phone (02) 4959 6366
Fax (02) 4950 5587

Tweed Heads

Suite 5, 1 Sands Street
TWEED HEADS 2485
Phone (07) 5536 3262
Fax (07) 5536 4389

Wagga Wagga

Level 2, 76 Morgan Street
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Fax (02) 6937 3616

Wollongong

106 Market Street
WOLLONGONG 2500
Phone (02) 4222 7333
Fax (02) 4226 9087

*WorkCover's Head Office, WorkCover Assistance Service and the Central Coast Local Office will move to Gosford on 21 October 2002. For information about our new contact details, see page 14 of this edition of *WorkCover News*.