

WORKCOVER NEWS

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The workplace safety and injury management magazine

December 2003 – February 2004

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- **Special Feature – Reshaping Workers Compensation in NSW**
 - Premium Discount Scheme Awards 2003
 - Testing & Tagging – What Employers Need to Know
 - Retail Safety for Christmas

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News from the

Chief Executive Officer



WorkCover recently celebrated 12 months in Gosford and the Head Office relocation has been very successful providing an improved working environment and local employment for Central Coast residents. The success of the relocation was recognised in the 2003 Premier's Public Sector Awards that reward achievement of excellence in the NSW Public Sector. WorkCover's achievement was in the 'Business, Management and Financial Performance' category where we received a Silver Award.

The Premium Discount Scheme (PDS) provides incentives to employers to implement programs to improve workplace safety and return-to-work strategies for injured workers. Recently, the second annual PDS Awards were held to acknowledge best performance by employers. This year Central Coast-based Continental Ace Pty Ltd was the proud recipient of the 'Employer of the Year' Award. See page 4 for more award winners.

The initial consultation phase of the Workers Compensation Scheme Design Review with key stakeholders and other interested parties has been completed. Enabling legislation has recently been passed and WorkCover's focus is now on the implementation of the Scheme Design Review. WorkCover will ensure continued

consultation with key stakeholders including insurers, employers, workers and providers during implementation of the changes over the next 18 months to 2 years. See the Special Feature on Page 14 for more details.

Poorly maintained electrical equipment can lead to serious injury, or even death. Employers have a legal obligation to ensure a safe workplace. WorkCover provides guidance on page 16 of the legislative requirements under the *Occupational Health and Safety Regulation 2001* about inspection, testing and tagging of electrical equipment and how to implement them.

On 1 January 2004, the Workers Compensation Commission will be two years old and will become the main body for resolving workers compensation matters in NSW, with the closure of the Compensation Court on 31 December 2003. See the opposite page for further information about current initiatives of the Commission.

I would like to wish you all a safe and happy end-of-year and look forward to working in partnership with you during 2004 to achieve our common goal of safe workplaces and proper compensation for injured workers throughout NSW.

A handwritten signature in black ink, appearing to read 'Jon Blackwell', written over a light blue horizontal line.

Jon Blackwell
Chief Executive Officer
WorkCover NSW

Workers Compensation Commission

moving forward

THE WORKERS COMPENSATION COMMISSION, an independent tribunal set up to resolve workers compensation disputes, reaches two important milestones next month.

On 1 January 2004, the Commission will be two years old and will become the main body for resolving workers compensation matters in NSW, with the closure of the Compensation Court on 31 December 2003.

'The Commission has been very effective in helping employers and injured workers resolve disputes early on, with many disputes settling through the mediation and conciliation skills of our Arbitrators,' says the President, Justice Sheahan.

'Most disputes are resolved within weeks by the Commission, which means injured workers aren't waiting months for access to entitlements such as weekly benefits or medical expenses. Employers are also benefiting from the Commission's capacity to resolve disputes more quickly, and the opportunities it provides for them to participate in the process,' explains Justice Sheahan.

The Commission's proactive case management, and requirement that parties exchange information at the beginning, means the real issues in dispute can be more easily identified. An Arbitrator then works with parties in conference-style meetings (by telephone and in person) to assist parties to resolve these issues, or where this is not possible, makes a determination. Employers and injured workers are encouraged to participate in these meetings which are much less formal and intimidating than a court.

'We have been busy refining the Commission's processes so that it is a robust, flexible and fair forum for resolving workers compensation disputes. At the same time we have been educating stakeholders such as lawyers, many of whom are used to a more traditional courtroom approach,' adds Justice Sheahan.

During 2003, the Commission significantly expanded the number of Approved Medical Specialists, independent doctors who are appointed to assess medical disputes. With 200 Approved Medical Specialists and 91 Arbitrators, a quarter of whom are in regional NSW, the Commission has made a strong commitment to ensuring its services are as accessible as possible.

A customer satisfaction survey is now underway that will provide the Commission with further opportunities for improving its services to employers and workers. Already in planning stage is a video/DVD aimed at assisting parties understand and participate more actively in the Commission's dispute resolution processes.

For further information about the Commission visit their website www.wcc.nsw.gov.au or call **1300 368 040**.

Below: Justice Sheahan.



Premium Discount

ON 25 NOVEMBER 2003, the Minister for Commerce, the Hon John Della Bosca, hosted the second annual Premium Discount Scheme (PDS) Awards. Fourteen employers – from small to large, from regional to metropolitan NSW – who were selected as finalists, vied for the coveted ‘2003 Premium Discount Scheme Employer of the Year’.

Since its inception in June 2001, the PDS has attracted over 2000 employers who, together, have received more than \$67m in workers compensation premium discounts. The PDS is an innovative NSW Government initiative that has been designed, principally, to attract employers with workers compensation premiums in excess of \$25,000, as well as those with high claims costs and those involved in high-risk industries, such as construction, manufacturing, healthcare and cleaning services.

The PDS rewards employers with a discount on their workers compensation premiums – for a maximum of three years – for implementing programs to improve workplace safety and return-to-work strategies for injured workers. These programs are designed to have a long-term impact on a business, encouraging innovative work practices, consultation between management and staff, and a company-wide culture of continuous improvement of occupational health and safety (OHS) and injury management (IM) systems.

The rewards are ongoing – cost savings are expected to accrue from fewer claims and better management of those claims.

Representing a diverse range of industries – from couriers to caterers, from duty-free shops to dairy product manufacturers – the 14 finalists contested not only Employer of the Year, but also awards in the categories of large and small/medium employer, in both regional and metropolitan NSW. The



Left: WorkCover
CEO, Jon Blackwell



Above: Sylvanvale Handicapped Children's Centre

Awards are not intended to identify the safest and healthiest worksites or employers in NSW, but rather to recognise the achievements of PDS participants.

The finalists, participating in the PDS for their first or second year, all demonstrated a keen focus on developing and enhancing their OHS and IM systems. Overall, these improvements generated significant reductions in lost time injuries, as well as workers compensation claims costs – and, consequently, premiums.

The Minister praised Somersby-based Continental Ace Pty Ltd, the recipient of the ‘Employer of the Year’ Award. The company is the leading supplier of conveyors and conveyor technology to Australia and Asia, and is also the largest supplier of conveyor equipment to the mining, tunnelling and materials handling industries. In only its first year in the PDS, Continental Ace reviewed its injury management systems, adopted more useful and meaningful suitable duties for their injured workers, enhanced workplace assessments and incident recording, and implemented company-wide OHS training. Workplace safety issues became an integral part on all meeting agendas, and monthly safety reports were presented directly to the company president. The company also developed some innovative solutions to manual handling issues that significantly reduced the risk of injury to their workers and allowed them to work more comfortably. Their efforts generated savings of almost 50 per cent on workers compensation premiums.

Scheme Awards 2003

The Revesby Workers Club, winner of the metropolitan large employer category, also received plaudits for its outstanding achievements, particularly given the complexity of its business and the poor workplace safety record of similar clubs in the industry. Comprising three restaurants and bars, a bottle shop, travel agency, hairdresser, health centre and childcare facility, the club management is keen to share its initiatives and become an industry leader in OHS and IM. In-house television screens have been installed throughout the complex, allowing organisational messages to be screened to staff and patrons 24 hours a day, seven days a week. Computerised human resources, OHS and IM systems have also been installed. All employees take great pride in their working environment, ensuring that all sections of the workplace – from loading bays to lounge areas – are safe workplaces.

The Sylvanvale Handicapped Children's Centre, a charitable trust employing 250 people, was recognised for its achievements in the metropolitan small/medium category. The trust provides a wide range of residential facilities, day programs, employment and schooling to more than 250 clients across three sites. During the past year, a sound return-to-work program was implemented that included a comprehensive list of suitable duties, even for the most minor of tasks, such as making a sausage roll. The organisation's focus on continuous improvement is demonstrated by the enthusiasm of all employees in participating in OHS and IM issues and practices – one notable contribution by a staff member led to a colour-coded emergency procedures process being implemented throughout the whole organisation. Also, a Positive Behavioural Support Unit was established to develop a case management approach to help reduce the incidence of violence against staff.

Another charitable organisation, the Illawarra Retirement Trust, which cares for more than 2000 residents at 29 villages located along the south coast of NSW, won the regional large employer category. During its second year of participation in the Scheme, the trust earned a \$50,000 discount on its workers compensation premium. Among the many initiatives it introduced to improve its OHS and IM systems are excellent hands-on training, an OHS newsletter, and a training manual for contractors. A program to address aggression in residents was also introduced and resulted in a

25 per cent reduction in the number of incidents. Also, return-to-work coordinators were appointed at each of the major sites to take a proactive approach in managing injured workers.

Established in 1897, on the NSW/Victorian border, the Yarrowonga Golf Club won the award in the regional small/medium employer category. With a diverse, 120-strong workforce, the club was congratulated on the numerous innovations that it introduced to address workplace hazards. The list is long and impressive – suppliers were asked to reduce the weight of bagged products to assist manual handling; a mechanical spreader eased the greenkeeper's duties; trolleys were given to catering and cleaning staff; and a new access road was constructed to eliminate collisions between golf buggies and greenkeepers. During the year, the club generated more than \$30,000 in PDS discounts and invested \$72,000 on OHS, mainly staff training, ensuring a major cultural change across the entire organisation. Coupled with its second-year PDS discount, the club anticipates a 30 per cent fall in its workers compensation premiums over the next 12 months.

Other finalists in the metropolitan and regional large employer category included:

- The Nuance Group (metropolitan)
- Australian Foundation for Disability (metropolitan)
- Caterair Airport Services (metropolitan)
- Bega Cheese (regional)
- Narrabri Shire Council (regional).

Other finalists in the small/medium employer category included:

- Choice HR (metropolitan)
- SNAPX (metropolitan)
- Retailink (metropolitan)
- Mareeba (regional).

The PDS promotes effective business management and emphasises that a great track record in OHS, IM and improved return to work is not just important in improving staff morale and retention through better and safe work practices, but is also good for the organisation's bottom line.

2003 PDS 'Employer of the Year'

CONTINENTAL ACE PTY LTD, at Somersby, is part of the international Continental Conveyor Group. This group is the world's largest supplier of conveyor components to the mining, tunnelling and materials handling industries. Continental Ace is the leading supplier of conveyors and conveyor technology to Australia and Asia.

Recently, a new US company president was appointed to the Australian subsidiary and among his early initiatives was to place workplace safety at the head of all meeting agendas. A company-wide safety report is now sent to the president on a monthly basis and a safety culture is prevalent throughout the entire organisation.

Given this new focus on workplace safety, the company needed little encouragement to participate in the Premium Discount Scheme (PDS). The PDS harnessed the organisation's desire to reduce the incidence and costs of workers compensation claims by providing a mechanism that encourages the long-term sustainable improvement of workplace safety. That mechanism is the implementation of measurable occupational health and safety (OHS) and injury management (IM) improvement programs.

During its first year of participating in the PDS, the company achieved the maximum 15 per cent discount on its workers compensation premium, which translates to a discount exceeding \$22,000.

Throughout the year, the company focused on implementing improvements to injury management systems, training,

hazard identification and risk control. Workshop trolleys were introduced to restrict the need to carry heavy items, an air-rail lifting system was installed and an innovative rotating jig was designed to reduce repetitive movements, twisting and lifting.

Other initiatives included the development of a suitable duties list for three key roles; regular contact with the insurer, who provides monthly claims and injury management data; the review of case notes twice a year; and monthly OHS committee meetings, where injury statistics, hazards and strategies are canvassed.

In accepting the 2003 Premium Discount Scheme Employer of the Year Award, Andrew De Lore, the General Manager of the Somersby plant, was effusive in his praise of the company's entire workforce, which worked tirelessly and diligently towards meeting and exceeding the PDS benchmarks. 'This recognition', he said, 'would be an incentive to the 49 men and women at Continental Ace'.



Above: Continental Ace

Small Business Strategy Seminars

SMALL BUSINESSES PLAY A VITAL ROLE IN THE NSW ECONOMY. There are more than 370,000 small businesses in NSW (defined as 20 employees or less), making up over 90 per cent of all businesses in NSW.

WorkCover is keen to ensure that small businesses have appropriate advice and information to help them understand their OHS obligations and create safe, secure workplaces.

With this in mind, WorkCover has been conducting seminars throughout NSW to provide a forum for discussions and questions.

Over the past few months, WorkCover has held 38 seminars and over 4,000 people have attended. Feedback from the seminars has been positive, with participants expressing the view that the information presented was relevant, easy to understand and helped to identify areas of improvement in workplace practices for many businesses.

One seminar attendee said, 'this seminar was truly informative and well worth two hours of my time. Both speakers were a pleasure to listen to – clear and precise.

I truly learnt a lot and [the seminar] definitely reiterated previous knowledge. I will be attending more of these seminars'.

And another attendee stated, 'I thought the seminar was informative and the handouts were simple and easy to understand'.

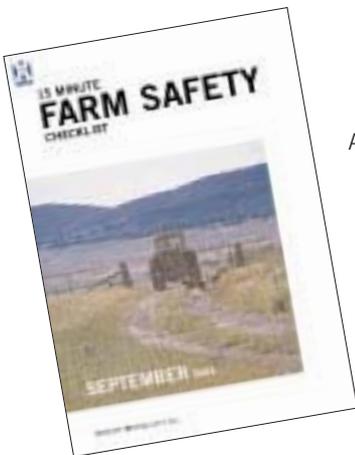
WorkCover will continue to provide information to small business via seminars and will look at the feedback collected to ensure future seminars are relevant, useful and accessible to as many people in small business as possible.

If you missed attending one of the small business seminars, you can obtain small business information, including the *Small Business Safety Checklists* from WorkCover's website at www.workcover.nsw.gov.au.

The Small Business Safety Starter Kit (Catalogue No. 50) can be ordered on **1300 799 003**.

You can also call the WorkCover Assistance Service on **13 10 50** for further advice.

Revised 15 Minute Farm Safety Checklist



An important part of managing a farm is to ensure the health and safety of workers and other people – such as customers, visitors or tradespeople – who visit the workplace.

To help farmers understand and fulfil their obligations for a safe workplace under the *Occupational Health and Safety Act 2000*, WorkCover has revised the *15 Minute Farm Safety Checklist* (Catalogue No. 666) to help assess hazards found in typical rural workplaces. The Checklist is not designed to cover all the risks on a farm, but to help farmers get started on the process of identifying the workplace hazards around them. The Checklist encourages farmers to think about how to make their workplace safer.

When using the checklist it is important that farmers involve any workers as they are affected by safety issues and can help identify safety solutions. By involving their workers, farmers will also be meeting their OHS obligations to consult employees on workplace safety issues.

The Checklist should be reviewed at least once a year. However, farmers would need to review the Checklist sooner if there are changes to the workplace, if chemicals or equipment are introduced, or if an incident occurs which raises safety concerns.

By completing the *15 Minute Farm Safety Checklist* and reviewing it regularly, farmers will be well on their way to meeting their legal obligations.

A copy of the Checklist is available on the WorkCover website, visit www.workcover.nsw.gov.au. To order a copy of the Checklist, call the WorkCover Publications Hotline on **1300 799 003**, the first copy of any publication ordered is free.

For more information, phone the WorkCover Assistance Service on **13 10 50**, or contact the Rural Safety Hotline on **1800 300 377**.

MINISTERIAL LAUNCH

The Minister for Commerce, the Hon. John Della Bosca, launched the revised *15 Minute Farm Safety Checklist* at the NSW Safety Show on 14 October 2003. The Checklist is part of WorkCover's Rural Small Business initiative and will help rural employers identify hazards on farms and evaluate how well their safety is currently being managed.

Nearly 240,000 copies of the Checklist have been distributed so far through *The Land* newspaper and in four other regional newspapers around the State. The NSW Farmers Association have also distributed another 9,000 copies to their members.

Feedback has shown that the Checklist format is easy-to-use and encourages employers to collaborate with workers to find the best safety solutions.

Below: Minister Della Bosca at the Safety Show.



Sydney Safety Show

huge success

WORKCOVER NSW WAS THE PRINCIPAL SPONSOR OF THE INAUGURAL SAFETY SHOW AND CONFERENCE,

which was held in September 2003 at the Sydney Showground, Homebush. The event was the largest ever held in NSW, with over 500 delegates attending the Safety Institute of Australia's Conference and more than 5,500 people attending the free trade show.

The event took place over three days and involved more than 160 exhibitors and some 69 speakers from Australia and New Zealand. NSW Minister for Commerce, the Hon. John Della Bosca, opened the trade show and delivered the Conference keynote address.

'There is a community expectation that people will arrive home safely and that workplace tragedies should be a thing of the past. It is expected that employers and governments will ensure, in this modern era, a high standard of safety at work,' Mr Della Bosca said.

Mr Della Bosca applauded everyone for demonstrating their commitment to workplace safety by attending the

Conference, and said he hoped that attendees took away new ideas and practical strategies from the event that they could put into practice.

Conference speakers covered issues including injury management, the workers compensation scheme, risk assessment and management, and violence in the workplace.

Visitors to the trade show represented a broad range of industry sectors, including corporate, government, transport, utilities, warehouse/distribution and mining.

'Through the show, we were able to provide advice and publications to the thousands of people who visited the WorkCover stand, and to the hundreds of people who attended the organisation's Small Business Seminars,' said Jon Blackwell, the Chief Executive Officer of WorkCover NSW.

The Safety Show will be held again next year at the Sydney Showground from 13-15 October 2004.

Below: WorkCover stand at the Safety Show



Retail Safety for Christmas



ONE OF THE BUSIEST TIMES OF THE YEAR IN THE RETAIL INDUSTRY is the lead-up to Christmas and during the annual sales period in January. During this time, employers and managers need to be mindful that increased work volume and longer hours can place greater pressure on workers. It is important not to lose sight of your occupational health and safety (OHS) responsibilities and to effectively manage the increased risks to the health and safety of workers.

A large component of the retail industry is made up of small businesses – those with 20 workers or less. This year is the first year that small business employers have been required to meet the new provisions of the *OHS Act 2000* and *OHS Regulation 2001*. WorkCover NSW has developed a number of publications to help small businesses understand and comply with these changes.

The *Small Business Safety Checklist* (Catalogue No. 1284) helps you to identify the safety risks in your workplace and suggests how to make the workplace safer. When using the Checklist it is important to review it regularly and involve your workers as they are affected by safety issues and are well placed to help you identify safety solutions. By involving your workers you will also be meeting your obligations to consult on workplace safety issues.

A large number of injuries in the retail industry result from poor manual handling techniques. The *Small Business Safety Checklist* has an effective manual handling checklist that can be adapted to various situations.

Over the Christmas season, many employers use casual workers during peak trading periods. Often these are younger

workers with limited experience; it may even be their first time in paid employment. Employers need to take extra care with these workers – by making sure they are fully aware of safe work practices and receive proper induction and training. *Protecting Young Workers from Workplace Hazards*, available from our website, can help with young worker education.

A variety of other retail-targeted publications are also available on the WorkCover website. Fact sheets offering information on how to manage robbery and violence in the retail industry include a five-point checklist to help you identify risks and tips on how to manage those risks.

Christmas in the retail industry brings many challenges, however, employers should always be mindful of their safety obligations. Make sure this Christmas is a happy and safe one for you and your workers.

To access the retail-specific publications mentioned in this article, visit www.workcover.nsw.gov.au and see Publications/Industry/Retail and Wholesale.

To access publications for young workers, visit www.workcover.nsw.gov.au and see Workers/Young Workers.

To download the *Small Business Safety Checklist*, visit www.workcover.nsw.gov.au and click on 'Find out about WorkCover's Small Business Assistance Strategy'.

Publications can also be ordered through WorkCover's Publications Hotline, phone **1300 799 003**. The first copy of any publication ordered is free.

New Publications



HAIRDRESSING IS A GROWTH INDUSTRY – the 4,500 hairdressing salons across NSW employ approximately 14,000 to 16,000 workers and up to 4,000 salon managers. Over 90 per cent of these salons are small businesses, with less than 20 workers.

As in other industries, hazards in salons can cause illness or injury to employees and visitors. These hazards can sometimes appear insignificant – a wet floor that hasn't been wiped up or a brush that hasn't been cleaned – through to the more obvious hazards such as chemicals in hair solutions.

Many workplace illnesses and injuries can be prevented, often by quite simple precautions. To help hairdressers make their workplaces safer, WorkCover has developed a new publication in consultation with the Professional Hairdressers Association.

Health and Safety Guidelines for Hairdressers is for salon owners and managers. It identifies potential hazards in salons, offers practical advice about assessing these hazards, and contains a hairdresser assessment record which can be cut out, photocopied and used to document the hazard assessment.

Publication details

Health and Safety Guidelines for Hairdressers
Catalogue No. 123.1

Web www.workcover.nsw.gov.au

Publications/Consumer and Business Services

WORKERS COMPENSATION FACT SHEETS

In order to provide customers with specific workers compensation and injury management information in simple, easy-to-understand terms, nine new Fact Sheets are available from WorkCover.

Publication details

Fact Sheet 1:
Insurance Policy and Premiums Information for Employers
Catalogue No. 1290

Fact Sheet 2:
Injury Management and Return-to-Work Programs
Catalogue No. 1291

Fact Sheet 3:
What to do if there is an Injury
Catalogue No. 1292

Fact Sheet 4:

Claims and Benefits

Catalogue No. 1293

Fact Sheet 5:

Resolving Problems and Disputes about Workers Compensation

Catalogue No. 1294

Fact Sheet 6 :

Service Providers and Other Assistance

Catalogue No. 1295

Fact Sheet 7:

Checklist for Employers

Catalogue No. 1296

Fact Sheet 8:

Getting more Information

Catalogue No. 1297

Fact Sheet 9:

Information for Principal Contractors – Subcontractor Premiums

Catalogue No. 1304

Web www.workcover.nsw.gov.au

Publications/Workers compensation/Claims/Workers compensation and injury management fact sheets

PREMIUM DISCOUNT SCHEME

Four new publications have been developed to increase awareness of WorkCover's Premium Discount Scheme (PDS).

The PDS provides incentives to employers to implement programs to improve workplace safety and return-to-work strategies for injured workers.

Through participation in this voluntary scheme, employers can earn a discount on their workers compensation premiums over three years. The PDS is ongoing for employers with a NSW workers compensation policy.

Publication details

Incentives for Employers

Catalogue No. 37.1

Audit Tool

Catalogue No. 1282



Benchmark Guidance Material

Catalogue No. 1281

Guide to the WorkCover PDS

Catalogue No. 46.1

Web www.workcover.nsw.gov.au

Publications/Workers compensation/Premiums

BENEFITS GUIDE OCTOBER 2003

The Benefits Guide provides easy access to the current rates of benefits (indexed and non-indexed) that are payable under workers compensation and injury management legislation. New rates came into force in October.

Publication details

Benefits Guide October 2003

Catalogue No. 508.7

Web www.workcover.nsw.gov.au

Publications/Workers compensation/Claims

ACCESSING PUBLICATIONS

The above publications can be ordered from the WorkCover Publications Hotline phone **1300 799 003**. The first copy of any publication ordered is free.

They are also available in PDF format on the WorkCover website, www.workcover.nsw.gov.au. Location details are given above.

Stairwell void

A STAIRWELL VOID (commonly known as a stairvoid) is the space allocated in a building where stairs have yet to be installed. If not properly fenced or barricaded, this void can be a major safety hazard on a worksite, not only for workers, but for unauthorised people – such as children – entering the site after hours.

To raise awareness of this hazard and improve stairvoid safety in the residential construction industry, WorkCover undertook a project in the Illawarra region of NSW in early 2003. The objectives of the project were:

- to ensure compliance with OHS legislation

- measure how many builders had fall prevention strategies in place and
- check that builders had a site safety plan illustrating the importance of fencing stairwell voids.

Four WorkCover inspectors visited 50 two-storey residential building sites selected at random. The inspectors also reviewed sites they visited in the course of their regular patrols. The project was based around a survey and checklist which measured the level of stairvoid fencing. Builders were also asked to determine their level of knowledge and practice on stairvoid fencing, workplace consultation and risk assessment.

Minister opens new **WorkCover** office in Maitland

The NSW Minister for Commerce, the Hon. John Della Bosca, officially opened WorkCover's new Maitland office on 23 October 2003.

'The new WorkCover office in Maitland will be able to service the Hunter Valley's fast-growing industrial base more efficiently,' said Mr Della Bosca.

Member for Maitland, John Price, has welcomed the new office in East Maitland Greenhills.

Below: Minister Della Bosca and John Price, and WorkCover staff.



'The rapidly expanding industrial and rural business community in the Hunter Valley will reap the benefits of a new WorkCover office at East Maitland,' said Mr Price.

'The new office significantly reduces the travelling time for WorkCover inspectors servicing the growing industrial estates at Rutherford and Thornton as well as the industrial mega-park being built at Kurri Kurri,' said Mr Price.

The Minister said that in the past few years there has been a significant growth in industrial and manufacturing sites in Maitland and the Upper Hunter.

'The new Maitland office will be able to respond to the increasing demand for WorkCover's services by the emerging local industries and for the many small businesses in the area,' said Mr Della Bosca.

'WorkCover's Maitland office is also centrally placed to service the thriving wine industry and thoroughbred horsing breeding studs which have diversified the demand for occupational health and safety information and advice,' he said.

The new Maitland WorkCover office is at Suite 7C,
19 Mitchell Drive, Greenhills, East Maitland 2323
Tel: (02) 4931 6800 Fax: (02) 4933 0807

safety initiative



Above: A typical stairvoid

The project found that more than one third of the residential sites visited failed to have a system in place to prevent people falling from stairway fencing around stairvoids, even after business hours. Some sites even had makeshift ladders to the first floor areas.

The checklist and survey revealed that:

- builders are aware that stairvoids need to be fenced, but have difficulty managing this risk
- builders and employers tend to use informal consultation to advise contractors on safety matters
- the residential building industry has a poor understanding of OHS risk assessment and management generally.

A total of 104 Improvement/Prohibition Notices were issued of which 50 were for fall risks on construction sites (including

24 relating to stairvoids). Ten infringement notices were also issued.

As a result of the project, the Housing Industry Association asked WorkCover to conduct a range of informal seminars to educate builders and managers on the dangers of stairvoids, and how to manage the risk effectively on residential construction sites. These were held in the Blue Mountains, the Illawarra and Dubbo in February 2003. See Prosecution Highlights for a recent case study.

If you would like further information about safety management in residential construction, see our website at www.workcover.nsw.gov.au or call **13 10 50** if you have any questions or require assistance.

STAIRVOID CHECKLIST

This checklist is designed to identify whether you have the right measures in place to manage stairwell void safety in residential construction sites.

1. Is the principal builder aware of the *OHS Act 2000* and *OHS Regulation 2001*?
2. Is the principal builder aware of fencing open stairways or stairwells (voids)?
3. Does the principal builder have in its safety plan a commitment to fence stairwells?
4. Do you carry out risk assessments on stairwell voids?
5. Do you use OHS consultation (that is consult workers on the site)?
6. Are all stairwell voids on the site fenced?
7. How are the stairwell voids fenced (eg. timber construction)?
8. What steps has the builder taken to ensure contractors replace the stairwell fence if removed to complete specific work (If applicable)? (Consider gyprocking around the stairwell void as an example.)
9. Are there other fall risks? If so, what are they?
10. Have workers on the site obtained general or site specific construction induction training (if applicable)?

Reshaping Workers



SINCE 2000, WORKERS COMPENSATION IN NSW HAS UNDERGONE MAJOR REFORM. The key focus of the reform has been to deliver sustainable Scheme costs, and provide appropriate treatment and return-to-work outcomes for injured workers.

While the reforms to date have been successful, further work on the structural and operational arrangements for the Scheme is required. To that end, in Sept 2003, the Minister for Commerce, the Hon John Della Bosca MLC, released the results of a 12-month review of the WorkCover Scheme.

The McKinsey & Company report '*Partnerships for Recovery: Caring for injured workers and restoring the financial stability to workers compensation in NSW*' makes several key recommendations that aim to restore the financial stability of the Scheme and improve treatment and return-to-work outcomes for injured workers. McKinsey & Company determined that the key issue (and the area with the most room for improvement) was claims management. They also

estimate that significant improvement in claims management, together with other recommendations, will generate savings to the Scheme of \$2 billion – making the Scheme fully funded within five to 10 years.

This report builds upon earlier reforms and provides a framework for significant, durable change that will improve the performance of the WorkCover Scheme, without employers paying increased premiums or cutting benefits to workers.

KEY RECOMMENDATIONS

1. Open the market and unbundle the functions currently performed by insurers
- Currently, licensed insurers perform the majority of functions required by the WorkCover Scheme (including claims management, funds investment, and premium assessment and collection). The report recommends

Compensation in NSW

introducing contracts (instead of licences) and allowing specialist businesses to tender for each of these functions.

This approach will introduce greater competition into the Scheme by opening up the market to enable businesses other than insurers to participate. WorkCover will be able to select the most effective businesses to manage each of the functions.

While businesses won't be able to compete on price (workers compensation premium rates will continue to be calculated by WorkCover's independent actuary), they will be able to compete on service, expertise and outcomes. Over time it is envisaged that improved service and claims outcomes may lead to reduced premiums for individual employers.

2. Make WorkCover a stronger manager

The report recommends giving WorkCover greater powers to undertake an expanded role.

3. Privatisation of the Scheme should not be pursued until the Scheme is fully funded

Since its release, WorkCover has distributed the report to over 350 stakeholder groups, including worker and employer representatives, insurers and providers. A series of briefing sessions has also been conducted. The report is available from WorkCover's website www.workcover.nsw.gov.au.

Over 20 submissions were received on the report and, generally, stakeholders were broadly accepting of the report and its rationale for reform.

WHAT DOES THIS MEAN FOR EMPLOYERS?

- Ability to make informed decisions using timely, accurate information on agent performance.
- Specialised attention from agents for specific classes of claims.
- Consistent, Scheme-wide approach to issues of fraud and compliance.

WHAT DOES THIS MEAN FOR WORKERS?

- New mechanisms to allow for the right level of treatment and management of worker claims
- Most seriously injured workers will receive specialised attention.

The *Workers Compensation Amendment (Insurance Reform) Act 2003*, passed in Parliament on 19 November 2003, establishes the structural framework to enable the new administrative arrangements for the WorkCover Scheme to take effect.

The recommendations of the report will be implemented over the next two years. WorkCover will consult with worker, employer and provider associations, insurers and potential new agents, throughout the implementation period.

Since the introduction of the reforms:

- \$47 million in underpaid or additional premiums has been identified
- Prosecutions for fraud and non-compliance with workers compensation law have doubled
- \$67.5 million in premium discounts has been delivered to 2200 participants in the Premium Discount Scheme.

Independent actuary, PricewaterhouseCoopers, estimates that the 2001 reforms have saved the Scheme \$1.533 billion (94 per cent of this is legal and investigation costs). In addition, payments made directly to workers have increased by \$47 million.

Testing & Tagging

POORLY MAINTAINED ELECTRICAL EQUIPMENT has the potential to seriously injure, or even kill. The *Occupational Health and Safety Regulation 2001* requires employers to regularly inspect, test and maintain electrical equipment, and keep a record of all inspections, testing and maintenance of the equipment.

Many employers, electricians and testing providers have interpreted the legislative requirements of the Regulation to mean that *all* plug-in electrical equipment must be inspected, tested and tagged.

In fact, some plug-in electrical equipment presents a low level of risk to the user and, therefore, may not warrant such a rigorous inspection and testing procedure.

Under the legislation, you are required to '*regularly inspect, test and maintain electrical equipment*'. WorkCover will apply this to mean that you have carried out a procedure which ensures plug-in electrical equipment is inspected and maintained in a safe manner.

You must, therefore, assess your electrical equipment and document the results of your assessment. These results should demonstrate the extent of equipment inspection needed and, if warranted, testing of identified equipment.

In other words, it may not always be necessary to test (and tag) all plug-in electrical equipment, but you must manage any safety risks surrounding the possibility of electrical hazards, in accordance with the legislation.

WorkCover recognises that some electrical equipment presents a lower risk to the user than other equipment – for example, electrical equipment used in an office can present a lower risk than that used in a factory. Lower risk electrical equipment may not warrant such a rigorous inspection and testing procedure.

To help you assess your plug-in electrical equipment, WorkCover has designed an *Electrical Equipment Inspection Checklist* (available from our website).

After you have assessed your electrical equipment, you can then implement a range of control measures, including:

- routine visual checks
- regular inspection
- maintenance
- repair
- replacement
- use of residual current devices (RCDs)
- and, **where warranted, testing of electrical equipment.**

This represents an alternative approach to managing some of the electrical equipment used in your workplace.

In addition to the *Electrical Equipment Inspection Checklist*, WorkCover has also produced a position paper which clarifies the intention of the *OHS Regulation 2001* regarding the inspection and testing of electrical equipment. A set of frequently asked questions (FAQs) is also available on the WorkCover website.

Some employers may still find it easier to follow the recommended testing and tagging timeframes outlined in the Australian Standard, AS/NZS 3760:2001 *In-service safety inspection and testing of electrical equipment*. It is up to you to decide which method to use – the Australian Standard, a risk assessment inspection and testing program, or a combination of both. Your decision should depend on a range of factors, including the equipment you use, working conditions, and the skills and resources available to you when assessing the associated risks.

For further information contact your local WorkCover NSW office, call the WorkCover Assistance Service on **13 10 50**, or visit WorkCover's website at www.workcover.nsw.gov.au.

WHO CAN INSPECT AND TEST ELECTRICAL EQUIPMENT?

Electrical equipment must be inspected and tested by a 'competent person', as defined in the *OHS Regulation 2001*, clause 3. A 'competent person' is someone who has acquired – through training, qualification or experience (or a combination of these) – the knowledge and skills to perform a task correctly. In this context, the task is that of inspecting and testing electrical equipment.

The person must be authorised to do the work by the employer, and must have had adequate training. It is also up

what employers need to know

to the employer, as the person authorising the work, to make sure that the inspection and testing program is adequate for the needs of the workplace.

When choosing a company or individual for the inspection and testing of electrical equipment, it is important to note that:

- WorkCover does **not** accredit, approve or endorse any course relating to the inspection, testing and tagging of electrical equipment
- WorkCover does **not** endorse, approve or issue a licence number to a person carrying out the work activity of testing and tagging of electrical equipment
- WorkCover has **not** accredited, approved or endorsed any company or individual conducting the business activity of inspection, testing and tagging of electrical equipment.

Some inspection and testing work requires a degree of technical expertise and interpretation of results. It can, therefore, only be carried out by an appropriately qualified person. If in doubt, the employer must get advice from someone qualified in electrical matters – this could be an electrician, electrical contractor or a specialist testing provider.

SOME COMMON ELECTRICAL EQUIPMENT THAT MAY NOT REQUIRE TESTING AND TAGGING

New electrical equipment

It is not necessary to test new equipment because the supplier is responsible for electrical safety in accordance with the principles of safe design and manufacture. The equipment should still be inspected by a 'competent person' to ensure no damage occurred during shipment or commissioning. It is recommended that a tag marking the date it went into service be fitted.

Desktop computers and stationary office equipment

Desktop computers and stationary office equipment rarely present a risk to the operator due to their permanent location and the way they are used. You should still carry out a risk assessment to determine whether your desktop computers, and other similar stationary office equipment, warrant regular testing and tagging as recommended by the Standard, AS/NZS 3760:2001.

FURTHER INFORMATION AND GUIDANCE MATERIAL

The following information:

- *Electrical Equipment Inspection Checklist*
- frequently asked questions – testing and tagging
- *Position paper – testing and tagging of electrical equipment*, is available from the WorkCover website at: www.workcover.nsw.gov.au. From the home page, see Publications/Industry/Electrical.

The following publications:

- *Occupational Health and Safety Act 2000*
- *Occupational Health and Safety Regulation 2001*, (Catalogue No.108)
- *Code of Practice: Technical Guidance 2001*, (Catalogue No.962)

- *Code of Practice: Electrical Practices for Construction Work*, (Catalogue No. 305) is available from the WorkCover website at: www.workcover.nsw.gov.au. From the home page, see Law and Policy. For a printed copy, call WorkCover's Publications Hotline on **1300 799 003**. The first copy ordered is free.

The publication:

- Australian Standard, AS/NZS 3760:2001 – *In-service safety inspection and testing of electrical equipment* can be purchased from Standards Australia either in printed format, or downloaded from their website at www.standards.com.au. The Standards Australia Customer Service Centre phone number is 1300 654 646.

Risk management

and consultation works



Above: Qenos plant at Botany

WORKCOVER NSW HAS OVERSEEN A MAJOR HAZARDOUS FACILITY ACHIEVE A REMARKABLE SAFETY RECORD during a massive shutdown operation. Qenos Pty Ltd, located at Botany, supplies Australia's plastics and rubber industries with raw materials. Its main products are widely used in the production of items such as tyres, plastic bags and moulded plastic products.

Major hazards facilities have the potential to cause serious damage and injury if not managed properly. The shutdown was a major project where plant was taken out of service primarily to complete statutory inspection of pressure equipment and pressure piping.

The 'turnaround' as it is called, lasted 40 days with approximately 820 extra staff on site at peak times. The scope of the work included:

- inspection of pressure vessels and safety valves
- maintenance on plant safety protective devices not available when plant is online
- routine maintenance on control and isolation valves
- inspection of and maintenance on general pipe work, and
- overhaul of major compressors and rotating equipment.

This was done with no notifiable incidents – a great achievement given the task.

The success can be largely credited to the blend of safety management systems and initiatives, with plans clearly outlined and strategies, programs and responsibilities put into practice.

Training, comprehensive risk assessments on all activities and effective consultation were well organised and conducted. This was done in an atmosphere of 'no job is so urgent that it cannot be done safely'.

All staff working at the site received comprehensive induction and training packages that provided a consistent message about expectations and requirements. Training was provided to those required to work at heights and in confined spaces.

A full hazard and risk evaluation, and a risk assessment on critical safety activities, was conducted prior to the shutdown. 'Work Packs' were created and contained area job hazard assessments, job safety analysis, rescue plans for confined spaces, materials safety data sheets (MSDS) and job planning worksheets. Close to 150 audits were done and relevant findings provided the basis for 'toolbox' discussions.

There was a proactive risk management approach to safety. The induction trainer for working at heights was retained for the whole shutdown to add credibility and emphasis to working at heights safely.

Consultation and good communication was vital in achieving and maintaining an awareness and positive attitude towards working safely. Safety committee, daily prestart and weekly toolbox meetings allowed workers to be consulted.

OHS daily reports formed the starting point of the daily project management meetings and sent out a consistent message and were also used for daily prestart meetings.

Safety performance was recognised with rewards for good safety compliance and winners published in a weekly newsletter.

The shutdown was a clear demonstration of how the OHS legislation (consultation, induction training, risk assessments) can improve safety and help companies manage safety more effectively.

NEW INFORMATION PACK ADDRESSES COMMUNITY SERVICE WORKER SAFETY

COMMUNITY SERVICE ORGANISATIONS OFTEN WORK

with some of the most disadvantaged and vulnerable people in the community. Often services are provided by home visits or on a 24 hour a day basis. The nature of the work and the diversity of work settings present many challenges for maintaining the health and safety of employees.

WorkCover has recently released an updated *Community Services Safety Pack: A Guide to Occupational Health and Safety* (Catalogue No. 4421). The Pack is a user-friendly information pack on occupational health and safety (OHS), workers compensation and injury management for community service organisations.

The original *Safety Pack* produced by the Council of Social Services of NSW (NCOSS), with funding support from WorkCover, was released in 2000. With the introduction of new OHS legislation in 2001 it was essential the resource be updated.

Safety Pack now incorporates up-to-date information on the current NSW OHS legislation. It contains a large number of practical tools and checklists and expanded content on OHS issues such as manual handling, violence, psychological injury, infection control, slips and trips, home visits and volunteers.

In conjunction with WorkCover staff, Workcover's Health and Community Services Industry Reference Group oversaw the development of the new edition. The rewrite involved extensive consultation with both grass roots community sector organisations and peak bodies, with more than 90 organisations being consulted on the OHS issues faced by the sector.

New South Wales workers compensation data for the community sector indicates that manual handling has the most claims. In terms of frequency and severity, mental stress factors are more likely to result in more than six months off work than manual handling claims. Other major causes of injury included falls and motor vehicle accidents.

The Community Services Safety Pack can be downloaded from www.workcover.nsw.gov.au. A CD version will be available from January from WorkCover's Publications Hotline on **1300 799 003**.

WORKERS COMPENSATION CLAIMS RESULTING IN FIVE OR MORE DAYS OFF WORK (2000/01)

Top 5 most frequent injuries

Rank	Cause of injury	Claims
1	Manual handling	448
2	Falls on the same level	188
3	Vehicle accident	113
4	Exposure to mental stress factors	111
5	Falls from a height	86

Top 5 ranking injuries in terms of total weeks off work and number of claims of over 6 months off work

Rank	Cause of injury	Total weeks off work	No. claims over 6 months off work
1	Manual Handling	4444	51
2	Exposure to mental stress factors	2983	45
3	Falls on the same level	1468	13
4	Vehicle accident	1277	13
5	Falls from a height	840	10

Percentage of claims resulting in more than six months of work

Rank	Cause of injury	% of claims within each injury group that were over 6 months off work
1	Exposure to mental stress factors	40.5
2	Falls from height	11.6
3	Vehicle accident	11.5
4	Manual handling	11.4
5	Falls on the same level	7

CORRECTION

In Issue 53 of WorkCover News, in the article 'Safety in the Rural Community' it was stated that 'three workers die each week on Australian farms'. This is incorrect. It should read 'two workers die each week on Australian farms'.

Workplace fatalities & injuries

REMOVALISTS INJURED IN BALCONY FALL

Two removalists were injured when a balcony gave way whilst they were lowering a sofa down to the ground level. They both suffered leg injuries after falling nearly five metres to the ground.

FARM HAND CRUSHED BY HARVESTING MACHINE

A farm hand sustained fatal crush injuries when he was run over by a harvesting machine while assisting with a potato harvesting operation.

WOMAN KILLED BY WORKPLACE VEHICLE

A woman was fatally injured when struck by a vehicle that was reversing within the premises of her workplace.

WOMAN CRUSHED BY GATE

A woman died at a concrete plant after being crushed by a motorised gate that came out of its guide track while being closed manually.

WORKER FALLS INTO ASBESTOS PIT

A council worker suffered suspected spinal injuries after falling into an asbestos pit at a council dump that had no effective barrier.

ROAD LABOURER KILLED BY VEHICLE

A roadwork labourer was struck by a vehicle while adjusting roadwork speed limit signs. He died several days later in hospital.

Disclaimer: These reports are of a preliminary nature and are based on initial reports from WorkCover Inspectors. Full details of incidents will be available after the completion of coronial and other processes. No liability on the part of any parties referred to herein can be inferred from these reports.

Prosecution Highlights

BUILDER FINED AFTER STAIRVOID INCIDENT

Company: Rawson Homes Pty Ltd

Fine amount: \$105,000

Date of Judgment: 24 October 2003

Case Details: Rawson Homes Pty Ltd has been fined \$105,000 after a child was severely injured on a residential construction site after falling from the first floor from a non-barricaded stairwell void.

The NSW Industrial Relations Commission sitting in court session was told that Rawson Homes awarded a contract to a subcontractor for the work of gyprocking the walls and ceilings at the site.

The subcontractor attended the site to perform some work and his child accompanied him. The subcontractor was working on the first floor of the site. There was no staircase from the ground floor to the first floor in place at the site and

no barrier or handrails in place around the staircase void on the first floor.

At some stage the child fell from the staircase void and was found lying on the concrete floor on the ground level. The child suffered injuries including a fractured skull, permanent hearing loss to the left ear, facial nerve palsy on the left side and mild brain damage and now has an enlarged eye.

Boland J stated, 'there was a clear failure on the defendant's part to provide any type of protection against falling in the stairway void from the first floor either by workers or children and a failure to ensure that children did not enter the site either by means of signage or fencing or directions to persons who might be expected to enter the site'.

Rawson Homes pleaded guilty to a breach of section 16(1) of the *Occupational Health and Safety Act 1983* and was fined \$105,000 plus costs.

TWO COMPANIES FINED AFTER STUMP GRINDER INJURES WORKER

Companies: 1. Asplundh Tree Expert (Australia) Pty Ltd
2. Kennards Hire Pty Ltd

Fine amount: 1. \$70,000 2. 41,250

Date of Judgment: 3 November 2003

1. Case Details: A tree removal company has been fined \$70,000 after a worker was severely injured by a stump grinder. The NSW Industrial Relations Commission sitting in court session was told that when the worker was in front of the stump grinding machine inspecting a problem, he came into contact with the cutting head and he suffered massive soft tissue injuries to his left leg, including the severing of his femoral artery.

Acting Judge Curtis stated that, 'the defendant failed to provide and maintain a safe system of work. The system of work adopted... was patently unsafe.'

Asplundh pleaded guilty under Section 15(1) of the *Occupational Health and Safety Act 1983* and was fined \$75,000 plus costs of \$7000.

2. Case details: Kennards supplied a stump grinder to Asplundh without first ensuring that the stump grinder was safe and without risks to health when properly used, and further, failed to provide to the person to whom it was supplied adequate information to ensure its safe use.

Kennards pleaded guilty under Sections 18(1)(a) and (b) of the *Occupational Health and Safety Act 1983* and was fined \$41,250 plus costs of \$7000.

TRANSFIELD FINED \$75,000 AFTER WORKER INJURED

Company: Transfield Pty Ltd

Fine amount: \$75,000

Date of Judgment: 6 November 2003

Case Details: A major construction company has been fined \$75,000 after a worker was severely injured when a locomotive moved backwards and crushed the worker between the top of a rail on a viewing platform and a frame of a booster bed.

The NSW Industrial Relations Commission sitting in court session was told the incident occurred in the North Side Storage Tunnel Project. The relevant work was performed underground. The conveyor belts were located in the ceiling of the tunnel and maintenance on these conveyors was performed by a maintenance gang who gained access from a

locomotive which ran below them along rail tracks underneath the conveyor belt.

The breach occurred when the worker attempted to re-set a bug switch which was located above his head as he stood on the viewing platform of a flat bed railway car which travelled through the tunnel. Another worker moved the locomotive forward. However, it stalled because of debris on the tracks and was placed in reverse without notifying the workers in the control panel or the worker standing-up on the flat bed rail car.

The worker was crushed between the platform rail and the frame of the booster on the conveyor above level 2 and suffered severe injuries.

Kavanagh J stated that, 'there was a failure to provide a safe system of work, proper instruction and a viable system of communication between the employees performing the worksite task.' Transfield pleaded guilty under Section 15(1) of the *Occupational Health and Safety Act 1983* and was fined \$75,000.

FRAUDULENT CLAIMANT PLACED ON BOND

Name: Haraclia Papacostas

Date of Judgment: 28 November 2003

Case details: A woman defrauded workers compensation benefits after failing to notify of her return to work and making a false statutory declaration. She sustained an injury to her right shoulder while working as a kitchen hand at St. Basil's Homes, Lakemba, and then made and signed a compensation claim form and the insurer paid workers compensation payments and additional expenses.

The insurer received a total of 21 WorkCover medical certificates from the defendant in relation to her ongoing incapacity which formed the basis of her assessment for benefits. The defendant was employed part-time working weekends only but was observed on several occasions by video surveillance working at a Sydney cafe.

A doctor subsequently established the defendant's work-related activities were of someone able to perform all activities normally and without any pain and that the activities were not consistent with the defendant's past and present complaints.

Magistrate O'Shane ordered that the defendant enter into a good behaviour bond for 2 years and pay WorkCover's costs.

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.

TESTING AND TAGGING OF ELECTRICAL EQUIPMENT

To ensure electrical equipment in the workplace is safe, employers are required to regularly inspect, test and maintain all electrical equipment under the *Occupational Health and Safety Regulation 2001*. In addition, employers must also keep a record of all inspections, testing and maintenance of the equipment.

This is a new position paper on the website entitled, *Electrical Equipment Inspection Checklist* and over 40 frequently asked questions have been added which clarify the intention of the Regulation and show how an employer can apply an **alternative** risk assessment approach to managing electrical equipment used in the workplace.

Visit: www.workcover.nsw.gov.au/Publications/Industry/Electrical/testingandtaggingofelectricequipment.htm

WAGES DEFINITION MANUAL

This manual provides a guide to employers, accountants, licensed insurers, auditors and other interested parties on remuneration taken into account for the purposes of assessing an employer's workers compensation premium.

This edition of the Wages Definition Manual supersedes the

May 2003 edition and includes changes to the formal definition of wages with regard to certain work-related motor vehicle and accommodation allowances. These changes apply to new or renewed policies from 4.00pm 30 June 2003. To review the changes see 'Car allowances and expenses' and 'Travel allowance'.

Visit: www.workcover.nsw.gov.au/Publications/WorkersComp/InsurancePolicies/wagdefman_oct2003.htm

WORKCOVER'S SOCIAL JUSTICE PLAN 2003-2006

WorkCover is committed to social justice and seeks to provide equitable access to its services. We recognise that we serve a diverse community and that we need to engage with stakeholders to achieve safe workplaces, effective programs for recovery and return-to-work and security for injured workers.

A summary of WorkCover's Social Justice Plan, and copies of programs for ethnic affairs, Aboriginal and Torres Strait Islanders and equal opportunity are now available on the website.

Visit: www.workcover.nsw.gov.au/AboutUs/FactsandFigures/social_justice.htm

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For all occupational health and safety, workers compensation and rehabilitation information, call the WorkCover Assistance Service – 13 10 50 from anywhere in NSW.