

NAIL SALON PROSECUTED FOR DISREGARDING H&S 21 FEB 17

Worksafe says companies that disregard the health and safety of workers and customers should expect they'll be held to account. Kiwi Nails and Spa Limited appeared for sentencing in the Auckland District Court today for using a banned substance.

The salon was inspected by WorkSafe and Auckland Council and it was discovered the company was using a substance called methyl methacrylate to glue artificial nails onto customer's nails. Methacrylate is a banned substance and is not allowed to be used as a component or ingredient in any cosmetic product. It is known to cause drowsiness, headaches and trembling hands if people are exposed to the fumes, and it can cause damage to nails and irritate customer's skin on contact. It is also one of the main components in the manufacture of plastics.

WorkSafe's Acting General Manager Operations and Specialist Services, Simon Humphries says, "It is unacceptable for companies to put workers and customers in harm's way by using banned substances which they know are toxic and illegal," says.

"If customers or workers are concerned, or have a very bad reaction to a product used, then we recommend that they report it to us," added Mr Humphries.

Notes: The company was fined and \$13,500 after pleading guilty to a charge laid by WorkSafe under the Hazardous Substances and New Organisms Act 1996.

ISOCYANATES ARE HAZARDOUS

http://www.safeworkaustralia.gov.au/sites/SWA/about/Publication_s/Documents/912/guide-to-handling-isocyanates.pdf

NB: it is important to note that the Australian Regulations are likely to be considered for adoption when NZ decides that it is not clever to reinvent the wheel for the sake of making more kiwi jobs.



SSL Manager Name _____

Telephone/Fax _____

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HEAD OFFICE ADDRESS: 77 Tarewa Road, Morningside, Whangarei 0110
TELEPHONE 09 438 7555 or 7550, FACSIMILE 09 438 7556, MOB 021 070 9141
EMAIL safetynz@xtra.co.nz gpaul_134@hotmail.com www.summitsystems.co.nz
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ARE SOME GROUPS EXEMPT FROM REQUIREMENTS OF LAW?

It is disappointing to record that some groups are of the view that they have special rights and that the law does not apply to them. It is fair to say that the OHS laws are mainly based on Sharia laws or the laws of the Medes and Persians that promote adherence to Moslem laws and practices. To disagree with Sharia Law does not mean that there is created an opportunity to rebel against it in a convenient form of self justification.

People of all persuasions (including the culturally privileged) are obliged to adhere to the law of this land or if they do not like our laws to leave this country and go to another one. Some may wish for this option. If however, they can persuade enough residents and ratepayers to their views, then they should be able to get suitable changes to modify the present laws.

The present laws are now similar in most developed countries and they promote values that embrace principles found in early texts. Our safety laws require that if a person allows an accident to happen to another person, the first person will be more liable than the second person for not trying to prevent it. This was evident in section 19 of the HSE law 1992 and its amendments. All workers were liable for their workmates and visitors to the site.

The new law HSAWA 2015 not only reinforces the former precept, it makes the worker liable for a fine of up to \$600,000 for deliberate neglect or failure to take early adequate action. The sanctity (protection) of life applies to all peoples and cannot easily be ignored.

ACCIDENT AT TIMBER YARD

A customer was injured – and one year after the incident was still unable to work – after a bundle of weatherboards weighing over 300 kg fell from height and struck him in the back when he was outside in a building supplies merchant's timber yard.

Circumstances: A forklift was being used to retrieve a pack of timber, stored three metres above the ground, from a cantilever racking system. When the pack of timber was lifted by the forklift, a pack of weatherboards stored in the adjacent stack was dislodged and fell onto a customer. Worksafe investigation found that the weatherboards had been stacked incorrectly, overlapping the wood in the next bay by 10 cm, and that the weekly and monthly checks failed to identify this hazard. Some of the risks:

- stacking of timber at height
- exclusion zones around machinery
- uncontrolled public access to yards.

Our view – this type of accident can be avoided. No packs of timber should be stored at heights unless in timber yards and in accordance with stacking and storage code of practice. It should be noted that with all free standing stacking the height must not exceed 3 times the base coverage.

2.

NOTIFIABLE ILLNESS

Situation: A person has been made unwell as a result of work.

If a person contracts an illness as a result of work and needs to be admitted to hospital for immediate treatment or needs medical treatment within 48 hours of exposure to a substance, then you **MUST** notify Worksafe NZ.

In addition, you **MUST** notify Worksafe if a person contracts a serious illness as a result of:

- working with micro-organisms
- providing treatment or care to a person
- contact with human blood or bodily substances
- handling or contact with animals, their hides, skins, wool or hair, animal carcasses or waste products
- handling or contact with fish or marine animals
- exposure to a substance, natural or artificial such as a solid, liquid, gas or vapour.

NOTIFIABLE INCIDENT

People's health and safety are seriously threatened or endangered as a result of a work situation.

If someone has been exposed to a serious or immediate risk to their health and safety because of an unplanned or uncontrolled work incident, then you **MUST** notify us (Worksafe NZ) as soon as possible.

OFFICIAL INTERPRETATIONS

1. If a person is injured and attends a doctor or medical centre or hospital but IS NOT ADMITTED as a patient overnight then it is not considered to be a reportable accident.
2. The person who caused or mainly contributed to the hazard is considered to be mainly responsible for controlling or preventing any accidents arising from the hazard.
3. Systems are not considered to be essential unless regulated for by NZ Govt. All sites should try and adapt procedures that may be collected from websites / redacted. A form of self audit may be devised by ACC for 2018.



3.

HARD HATS MUST BE USED IN MANY SITUATIONS.

Hardhats are required in all situations where a person could receive a head injury from an item falling. This applies in places such as supermarkets or stores where large items are stored at heights. It applies where cranes are in use. It applies where builders are working on scaffolding. It applies where workers are operating forkhoists. It applies where logs or heavy items are being loaded onto trucks.

FORKHOIST CANOPIES ROPS ARE NOT HARDHATS

Forkhoists are not good hardhats and their canopy is not designed to take a crash from very heavy items. If the protective structure is designed to withstand a load of 5 tonnes then it is probably not going to be able to handle a weight of 1 tonne that falls from 4 metres above it and gains speed. The hard hat is obviously unable to even look anywhere near the 1 tonne but the hard hat has the ability to push the wearer away from the falling item.



WHAT THEY DON'T TEACH YOU IN SCHOOL (OUR VIEW)

Pendulum effect is where a machine or body continues in its normal pathway after it has been "stopped". For example, you are operating a digger with a 1.5 metre auger and you have a person wander into the pathway by accident. You try to suddenly stop the auger but to your horror it will not stop and it swings like a pendulum and continues very fast at the base and causes a severe injury to the person in the pathway.

Harmonics / vibrations that happen to chime in with relationship to the original sounds except that they may be on a different wave length. An overtone accompanying a fundamental tone at a fixed interval, produced by vibration of a string, column of air, etc. in an exact fraction of its length.

Momentum factor is when something is travelling at a certain speed and cannot be suddenly stopped. The quantity of motion of a moving body, measured as a product of its mass and velocity. the impetus gained by a moving object.

Resonance and warp. This is sometimes called "the Jericho effect". It is similar yet totally different to the resonance and vibrations that cause a high quality glass to sing then explode. It is known to cause earthquakes and is also used to recharge US submarines. The pulse is a beat frequency of a few seconds and can demolish suburbs. Workers slogging ridge beams with sledge hammers need to be careful they do not demolish buildings nearby.