

DEFINITION OF REASONABLY PRACTICABLE – SAFEWORK AUSTRALIA

The circumstances that prevail

What is reasonably practicable to do will depend on a number of factors present at the particular time in question, for example:

- the physical environment in which the activity occurs as this can affect:
 - how activities may be carried out
 - the hazards and risks that may arise
 - the availability of things necessary to minimise risk, e.g. energy sources or communication systems
- the suitability of particular control measures, e.g. whether plant can be moved to ground level to eliminate the need to work at a height
- the people involved in the activity, including whether there are multiple parties
- the processes that are already in place or need to be in place
- legislation that limits or directs how an activity may be carried out, (e.g. conditions on licences or requirements to comply with regulations or by-laws relevant to the particular activity or place)
- the time allowed for the activity to be carried out.

What are the hazards and risks?

A hazard is a situation or thing that has the potential to harm a person. Hazards at work can include noisy machinery, a moving forklift, chemicals, electricity, working at heights, bullying or violence at the workplace. The PCBU must identify each hazard that is associated with particular work, the work environment and things used to carry out the work. Hazards can be identified through various means.

The importance of consultation

Consultation with workers and others who are or may be involved in the particular work or workplace is an important means of obtaining relevant information. This is one of the reasons why consultation is a requirement under the WHS Act. Remember that a duty holder cannot transfer their responsibilities to another person. NB: The full opinion is available from our office at no charge.

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MOTOR CAR MANUFACTURERS – MECHANICS NOT IMPORTANT?

This is an Alert to warn all people who have to work on motor car engines, particularly the fuel line testing that is required when motors have an irregular rhythm or "misfire" problem.

Recently a worker of a local client had a situation where a worker was taking about 200 mls of petrol from the 4M feed line that connects the fuel tank with the motor. The procedure is to undo the 25mm pipe near the motor and hold a large container below it and then get a workmate to switch on the motor for two seconds then close down. In this case there was a huge explosion and the worker suffered serious burns to 30% of his body.

Since this was an unheard of happening, we carried out checking with the MITO training to see if they provided any warnings to workers. Nothing. We also checked with MTA for information but nothing was forthcoming. We also searched for warning bulletins or journals on internet but nothing was found. We consulted with one of our long standing clients who has his own fleet/s and he advised us that the manufacturers provide no warnings - not even a basic safety procedure to follow. He told us that we could check all of the libraries but would have no luck. Instead of trying to find causes and solutions, we should focus on training workers to use a hand pump for the job and to avoid static electricity plus ignition sparks from the battery and motor.

We did however find a German Technical paper and it disclosed that the vehicle manufacturers were aware of the issue of static electricity and had taken great precautions to modify vehicle fuel filling funnels to be frictionless as far as possible. They also warned motorists not to climb into a vehicle during the fuelling process. But vehicle mechanics and other service agents were given no such warning about dangers of their work on fuel lines.



2.

Our Recommendations to Motor Vehicle Clients and Mechanics

1. All workers should have anti static clothing and flame retardant tops.
2. An earth belt or strap about 3 metres in length with bulldog clips at the ends can be used to earth the car to the nearest hoist.
3. The extraction of fuel should continue to be via the main feed line but a hand pump should be used. The connection to the pipe must be leak free.
4. The output from the hand pump should be into a jerry can on the floor beside the vehicle.
5. No cell phones are allowed on such work under any circumstances.

SAFETY ALERT QUARRY OPERATIONS HYDRAULIC POWER PACK AND RAM FAILURE CAUSING DEATH

What happened?

A mine worker at an alluvial gold operation was using a hydraulic power pack and ram to undertake maintenance on the rear struts of a dump truck. The ram ruptured and high pressure hydraulic fluid erupted from the ram, hitting the worker and causing fatal injuries.

How did it happen?

The hydraulic power pack and ram were assembled off-site and brought to site by a contractor. The mine operator did not undertake any safety checks on the hydraulic unit prior to it being used on-site. The hydraulic ram and power pack was built by the victim's employer using a ram sourced from an excavator.

The pressure relief mechanism on the power pack was not compatible with the ram's safe operating pressure. The ram was also positioned in a location not approved by the truck's manufacturer.

The consequences?

The hydraulic ram was not high enough to reach the truck's lifting point and the ram was inadvertently extended to its maximum height. Not realising this, the victim continued to engage the hydraulic power unit, which allowed the pressure inside the hydraulic ram to reach the maximum output, and cause the ram's rupture.



TIME TO GET SERIOUS ABOUT DRUGGIES AND SUPPORTERS

It is reprehensible when a senior politician publicly states that the high level of immigration is essential due to the fact that many workers are on drugs and will not work. Worse still is the behaviour of medical people who take urine samples instead of doing blood tests as they know full well that there are ways around the urine testing. We need to accept that academics and education people and professionals are not interested in worrying about doxy students who cannot answer simple questions. They use NZQA techniques so that the drug busters can still get through the assessments with 51%. At the same time, we note that most of the Priests and Pastors do not give messages condemning the drug world that is taking down the whole society. Contact our office for policies that are guaranteed to work.

3.

CLEAR DISREGARD FOR THE SAFETY OF WORKERS AND OTHERS

Sub-optimal demolition work of three residential buildings placed workers and neighbours at significant risk of asbestos exposure and landed the home owner with a large clean-up bill. The dangers of asbestos have long been recognised which is why the extensive failings of P&M Demolition Specialists Ltd and its sole Director, Jade Ngaha, are so disturbing.

WorkSafe's investigation found that P&M Demolition Specialists and Mr Ngaha had been told of asbestos containing material on site. Despite this, there was neither a risk assessment nor a comprehensive survey to establish the location, condition and quantity of asbestos containing material. Instead the demolition work proceeded with no safety controls in place, exposing workers and neighbours to asbestos fibres and asbestos containing dust. Asbestos dust was found well beyond the boundary of the worksite.

"It's beyond belief that Mr Ngaha did not follow recognised industry practice which includes testing for the presence of asbestos given he had been told that it was present. Nor did he ensure his employees had the right skills or equipment for the task," said Keith Stewart, WorkSafe Chief Inspector.

"Asbestos is very dangerous and the importance of having specialist knowledge and help to manage its removal is critical to reduce risk. Safety is paramount when it comes to asbestos and that is why the regulations are so detailed," added Mr Stewart. Asbestos is the single biggest cause of deaths from work-related disease. On average about 170 people die every year from asbestos-related diseases. Breathing in airborne asbestos fibres is a serious risk to health - once the fibres are breathed in, they lodge in the lungs and may cause asbestosis, lung cancer or mesothelioma.

P&M Demolition Specialists pleaded guilty to three charges under Health and Safety in Employment Act 1992 for failing to take all practicable steps to protect its workers and others. Jade Ngaha, sole director of P&M Demolition Specialists, also plead guilty to three charges under the Health and Safety in Employment Act 1992 for his part in P&M Demolition Specialists' failings. P&M Demolition Specialists were charged under S6, S16, S18 and S50 of the Health and Safety in Employment Act 1992. The charges carry a maximum fine of \$250,000. Jade Ngaha was charged under S6, S16, S18, S50 and S56 of the Health and Safety in Employment Act 1992. The charges carry a maximum fine of \$250,000. Due to the financial position of the company and Mr Ngaha, the North Shore District Court did not impose a fine. However, reparations of \$36,000 were ordered in addition to the \$13,000 already paid towards the clean-up costs.

