

WHAT TO DO IF THE UNION CALLS

The Trade Unions have important powers under the amendment Act. It is essential that all Clients re-appoint their safety reps after May 5 2003 so that they become formal representatives under the amendment Act. This will minimise the risk of the Union calling in the exerting its powers to demand the formal appointment and training of their safety reps.

USING OUR HOTLINE

All clients are reminded of the need to inform all staff of the procedures in the event of a serious accident. ONE is to call the ambulance; TWO is to ring Summit Systems Head Office. Our role is to act for you to minimise the risk of prosecution. Please do not try and be clever. Keep it simple and keep it professional.

UP UP UP AND DOWN, DOWN, DOWN

We have to advise that a former client in Ashburton has been prosecuted by OSH. The Inspector informed me that the prosecution was taken on the grounds that (a) the management systems had been allowed to lapse for five years, (b) the original 3 staff had signed the acknowledgement page and there were now a total of 9 staff, (c) the manager did not know where the rules were for confined spaces – even though the Inspector did from his knowledge of our safety management system.

What this means is that when we take on a client the typical safety rating is about 25%. We immediately get them to 50% and they over the next two years try and get them to 80 or 90%. The corollary is that if they allow things to go down hill then over 5 years they can get back down to 25%.



Consultant Name _____
Telephone _____

All information in this newsletter is to the best of our knowledge true and accurate. No liability is assumed by the author, or publisher, for any losses suffered by any person relying directly or indirectly upon this newsletter. Please call our Head Office for specialist advice.

OUR HEAD OFFICE IS: 21 Hands Road, Riccarton, Christchurch.
TELEPHONE (03) 338 8820, AH 03 358 3726, FACSIMILE (03) 338 8353
Email: safetynz@xtra.co.nz Web ssl.esummit.co.nz or www.esummit.co.nz



For Business Qualifications and Risk Management

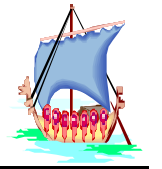
News & views from Summit Winter 2003

EXCESS FOR INSURANCE

We have been informed that the Insurance Companies that are still offering insurance for OSH legal advice have excesses of between \$2,500 and \$5,000. This seems to make it exceptionally attractive to get the medicine over and done with. Simply said, do what the law requires. Human nature is always going to fight the law so the Insurers will do very well from the majority of employers that “think about it” and do not have the ability to make logical decisions.

INTERNET SITE BOMBED

We have had our internet site bombed four times. This has cost us about \$1,000. We have the co-ordinates of the “bombers”. They will be handed over to the serious fraud office. Do not be surprised that a considerable number of competitors and officials want us out of business.



LETTERS TO DEPUTY PM AND MINISTERS OF ACC/OSH

On that note, we have just written to Hon Jim Anderton and have asked him why the Dept of ACC is very generous with hand outs to some groups. We believe that there have been (a) allocations to Intaz for CD Rom generated with a video about accident prevention. (b) founding allocations to Sitesafe that is a non profit organisation yet acts in a commercially aggressive manner. (c) NZCTU whom we understand has gained 5000 training positions fully funded by the Minister of ACC.

HYBRID TAX A REASON FOR COMPANY FAILURE

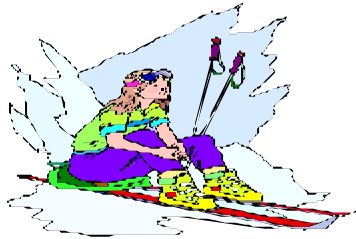
We have experienced the unbelievable crippling tax due to politicians with no logic and no understanding of business. They no doubt want to know why so many businesses fail and of course those that fail do not even understand why they failed!

In very simple language, imagine that we sell goods with a margin of less than 12.5% or about the same as GST. Under hybrid taxation we will have a loss or nearly a loss.

What this means is that companies have to pay GST in advance of receipt of monies once they go over the threshold of about \$1 million turnover. For example, we sell a safety system and collect a deposit of \$500. We have to pay GST in advance for the whole sale of \$2,000. This means that the IRD has banked our profit and we have to wait 23 months to catch up. No wonder why so many companies are leaving NZ.

If you want to have just 5% tax then it is a good idea to register in Bahrain. If you want 17% tax then go to Vanuatu. If you want to have no tax, then go to the Caribbean. If you want to have exceptionally high tax then stay right here in NZ.

BIG SIGNS FOR STATEMENT OF SIGNIFICANT HAZARDS



The law requires that all sites must notify their hazards. Typically this is done by a book at reception that is never read. We have designed a "big sign" so that you can easily notify your significant hazards quickly and economically. They are available for \$40 + GST and freight from our office.

NEW COLOURED BROCHURE FROM SUMMIT

We are reprinting our coloured brochure and these are available from our Head Office. There is no charge. Our message has changed over the years to embrace a wide range of qualifications required by employers and to emphasise that we aspire to be world experts in Injury Prevention systems and to help set international standards.



We are also able to offer training classes for employers who wish to be informed of legislative requirements prior to signing up for our systems and services. Meeting can be arranged by simply contacting your local consultant.

HOW TO HANDLE AN OSH INSPECTOR

The first thing is to be prepared for an OSH Inspector to visit. It is still not widely known in the market that the role of OSH has changed from auditing, facilitation, education and enforcement to just auditing and enforcement.

It is important to realise that under the amendment Act an Inspector can visit at any reasonable time without prior warning. S/he has automatic access to any place of work for his/her role.

The best way is to have Summit Systems Ltd appointed as your Safety Manager on call with the authority to handle the Inspector. The rest is simple. Please understand that this is the best course of action for you.

LEGAL CASE NOTES FROM THE COURTS

Statistics reported in Safeguard Magazine May/June 2003

Gremara Holdings Ltd was fined \$25,000 under r.20(1) and 70(1) of the HSE Regulations after a worker died when the roller he was operating overturned on an embankment. The roller, which had been hired for the job, was not fitted with a rollover protective structure or a seat belt. The defendant company had elected to work without them, believing they would not be needed as the worksite was flat. There was, however, a steep gully below the site, and the roller tipped after putting a wheel over the edge of the drop.

Christchurch Polytechnic was fined \$10,000 under s.6 after an employee suffered amputation of two fingers and compound fractures and severe lacerations to the other fingers and thumb in a vertical spindle moulding machine.

Watercare Services Ltd was fined \$12,000 under s.18(1)(a) after a contractor's employee was badly burned by an electrical flashover in an 11kv cable termination cubicle. He had worked in the cubicle many times previously but on the day in question did not know it had been energised.

Adfield Interiors Ltd was fined \$10,000 under s.6 after an employee was killed when a stack of MDF boards fell on him. The victim was helping the company's director stack the boards against a wall, but as the stack become more perpendicular it toppled, pinning him against a circular saw.