

#### ACC COMPETITION IS WELCOME, WE INTEND TO COMPETE

We have been able to prove that we achieve an average of 70% less accidents in terms of frequency and severity in New Zealand. This fact was established some 8 or 9 years ago by Michael Anderson and Associates. We welcome the opportunity to compete with ACC and we now have a splendid opportunity to work with Vero (a very large Insurance group) to give really worthwhile benefits to our clients. In a nutshell, our clients automatically get to have very low risk rating due to superior management systems. It simply follows that their annual premiums will match the reduced risk. It is anticipated that our clients will qualify for 10% to 40% lower premiums than NZ sites that think they know everything.

#### TOP GENERAL INSURANCE COVER NOW AVAILABLE - IS LIKELY TO BE LOWER FOR CLIENTS WHO HAVE HIGH QUALITY SYSTEMS

We have been able to set in place high quality insurance through I C Frith International Insurance Brokers who have a special arrangement with us to access Vero Insurance. Yes, our clients will benefit considerably and will enjoy the fruits of having systems to ensure much lower risks. Most CEOs do not understand that their Broker has been getting 25-33% of their premium for the past ten years and has been very keen to wine/dine/golf.

#### JOINT VENTURE TENDERING SERVICES WITH CLIENTS

We have designated Warren Brixton of Christchurch and George Carson of Gore to help clients who wish to have joint venture arrangements with us for the purpose of gaining valuable government and local government tenders in the competitive market place. As a preliminary measure, we will get these clients registered with a basket of large organisations that will then recognise them for the issue of tender documents that otherwise they would never even hear about.

Consultant Name \_\_\_\_\_

Telephone/Fax \_\_\_\_\_

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.

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## News & views from Summit Autumn 2009



### Higher work-safety fines

In a recent court decision, the full bench of the High Court said a "substantial uplift in existing levels of fines is needed" to reflect the seriousness of workplace accidents, the need for deterrence, the effects of inflation and an increase in the maximum fines in 2003.

The fine imposed on Christchurch construction company Hanham & Philp Contractors was increased to \$50,000 from \$5000 over an incident in November 2007, when an employee of a painting contractor was injured after falling from scaffolding.

The company had voluntarily introduced Accident Compensation Corporation (ACC) safety practices and was a finalist for the Champion Canterbury ACC Thinksafe Workplace Safety Award in 2006.

Food manufacturer Cookie Time had its fine increased from \$15,000 to \$40,000 over an accident in February 2007, in which a worker's arm was broken after it caught in the mechanism of a conveyer belt.

The court ruled on a department appeal against the original fines.

A fine on mining company Black Reef Mine was raised to \$20,000 from \$10,000, and reparation of \$25,000 was added to the \$50,000 due to the widow of miner Robert McGowan.

McGowan died in March 2006 when the Black Reef Mine near Runanga was flooded.

2.

The court said starting points for fines under the Health and Safety in Employment Act should generally be fixed at:

Low culpability: a fine of up to \$50,000

Medium culpability: a fine of between \$50,000 and \$100,000

High culpability: a fine of between \$100,000 and \$175,000.

Higher fines might be required in cases of extremely high culpability, the court said.

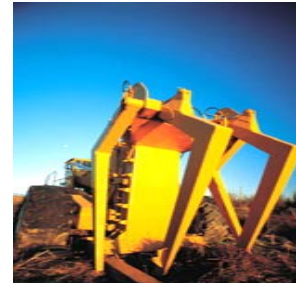


**OSH POLICY FOR DETERMINING WHETHER AN INVESTIGATION IS REQUIRED**

Can the designated OSH manager or inspector conclude, on the basis of the report or notification of the accident, incident, or complaint, that:

1. There is either no injury, or that any injury: falls below the threshold of serious harm; or is in the nature of minor lacerations, bruising, or soft tissue injuries; or otherwise is an injury for which the cause is so obvious that an OSH investigation presents little or no opportunity to improve health and safety; and
2. The cause of the event is unlikely to pose a significant continuing hazard; and
3. There has not been a clear breach of OSH legislation which would justify enforcement action; and
4. The event is adequately managed by the employer/person in control; and
5. There are no other factors to suggest that the matter should be investigated.

AN INVESTIGATION IS REQUIRED IF **ALL**



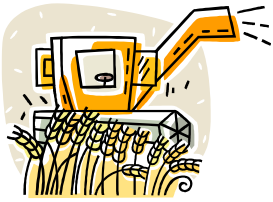
**FIVE** CRITERIA ARE NOT SATISFIED.....

3.

**SO, IF DOL/OSH HAS SUCH UNBELIEVABLY HIGH STANDARDS, WHAT CONSTITUTES A REASONABLE DEFENCE?**

<p><b>STEP ONE</b> Get a Summit System - high quality <u>auditable</u> system</p>
<p><b>STEP TWO</b> Get Summit to train all staff in injury prevention</p>
<p><b>STEP THREE</b> Have 2 + Safety Supervisors or Reps trained by Summit or approximately one S.O. per five workers</p>
<p><b>STEP FOUR</b> Have a site audit by a trained professional from Summit</p>
<p><b>STEP FIVE</b> Convert all significant hazards into safety rules and prepare Job Task Analysis</p>
<p><b>STEP SIX</b> If you have a serious accident ring our Summit hotline vis 03 33 888 20 (five lines).</p>

**NEW SERVICES FROM SUMMIT SYSTEMS NZ LTD**



### **FORTNIGHTLY OR MONTHLY VISITS FOR HUMAN RESOURCES AND SAFETY MANAGER ROLES**

These will be for clients who wish to resize, optimise or maximise resources and save valuable funds in times of financial change.



### **THE PROVISION OF TRAINED AND SPECIALLY SELECTED MACHINERY OPERATORS**

These will be for clients who wish to enter a relationship with us for the provision of highly trained and skilled machinery/plant operators. A trial period will be possible prior to confirmation of appointment.