

4.



### **Safety Supervisors Required**

We have completely revamped our training course for Safety Supervisor to make it suitable for both our Agency work where we can offer trained Consultants to Clients OR we can train one of the site people that has the ability to operate as a Safety Officer and as Safety Supervisor. This role is much different to that of Safety Representative. The Safety Rep has some statutory duties laid down under the legislation. The Safety Rep is also able to issue Provisional Improvement Notices under the new HSAW law. The Safety Rep is likely to be involved as a Union Delegate or to have interests in Worker Rights versus Management Duties.

### **Supermarket operator ordered to pay \$77,300 after worker injured in gate collapse 18 September 2015**

The company operating a Dunedin Countdown supermarket where a security gate collapsed on an employee has been fined \$44,300 and ordered to pay reparations of \$33,000. As a result of the incident, the employee suffered compression fractures of several vertebrae, leaving him in a brace for 12 weeks, as well as spasms and fractures to the left thumb.

General Distributors Limited, a wholly owned subsidiary of Progressive Enterprises Limited, was sentenced yesterday in the Dunedin District Court on one charge under the Health and Safety in Employment Act for failing to take all practicable steps to ensure the safety of its employee. The employee was closing the security gate at the supermarket, located at 560 Anderson Bay Road, on 29 November 2014 when the top section of the gate came loose from its runner, and fell towards the employee, pinning him to the ground.

Following the gate's installation in mid-2013, staff identified bolts securing the gate stopper coming loose. The employees attempted to fix the issue on at least three occasions. While a manager was informed that the employees were attempting to repair the gate's stopper, a work order was not formally raised and a maintenance company General Distributors used for repairs was not engaged to fix the gate.

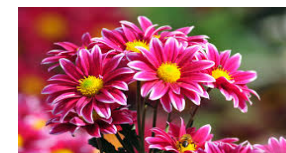
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## News & views from Summit November 2015



### **Verify means more than check - it means double check & prove!**

According to one prominent Manager in Wellington it will be a good idea to check out your performance in relationship to Health and Safety. The Wellington definition of verify is to check. But the word verify as in a good quality dictionary means - make sure or demonstrate that (something) is true, accurate, or justified. "his conclusions have been verified by later experiments". The synonyms are: substantiate, confirm, prove, show to be true, corroborate, back up, support, uphold, evidence, establish, demonstrate, demonstrate the truth of, show, show beyond doubt, attest to, testify to, validate, authenticate, endorse, certify, accredit, ratify, warrant, vouch for, bear out, bear witness to, give credence to, give force to, give/lend weight to, justify, vindicate. Some lesser meanings are make sure, make certain, check. If you happen to think that this is about checking then the best analogy to think about is getting into your car and looking at the dashboard before you dash. But tell yourself that you don't need a WOF, nor do you need a vehicle maintenance service.

### **Hazard Management is a lightweight, it is not Risk Management**

Those people who think that the new laws are a "walk in the park" are strongly advised to take note of the true meaning of risk management and re-assess the impact on their business. We have just been at a nationwide nursery site. They have a software programme in place where staff can talk to the clouds. We advised them that the site must have written documents that are in the form of Job Task Analysis and JTAs must be signed off by every member of staff. Recent Court decisions at Wellington and Waitakere were "if it ain't written down, it doesn't exist". The Manager was quick to point out that he does site audits every day when he walks around and that they have almost no accidents worth recording. We tried to persuade him that his main risk is not the staff. His number one risk is contractors coming on site to bring him a serious prosecution. Number two is litigation from a "little old lady" who wants a new car and trips over a garden hose and breaks a hip. Number three is the disaffected member of staff that was blocked from being a Safety Representative and made sure the site got into real trouble with the DoL Inspectors. He told us that he had a visit about 5 years ago because it is a good idea to do a five year visit. But only two items were discovered. He did not understand that sites change over five years and that most people doing audits are oblivious to the 100 sets of compliance regulations. We persuaded him to have a proper audit plus a five year forecast of his business durability using risk grids / matrices from ISO 31001; AS/NZS 4360 and ISO 19600.



2.

## Role of Safety Representative is Soon to Change

### **Functions of health & safety reps (Refer to HSAWA schedules)**

The functions of a health and safety representative for a work group are—

- (a) to represent the workers in the work group in matters relating to health and safety:
- (b) to investigate complaints from workers in the work group regarding health and safety:
- (c) if requested by a worker in the work group, to represent the worker in relation to a matter relating to health and safety (including a complaint):
- (d) to monitor the measures taken by the PCBU that are relevant to health and safety:
- (e) to inquire into anything that appears to be a risk to the health or safety of workers in the work group arising from the conduct of the business or undertaking:
- (f) to make recommendations relating to work health and safety:
- (g) to provide feedback to the PCBU about whether the requirements of this Act or regulations are being complied with:
- (h) to promote the interests of workers in the work group who have been harmed at work, including in relation to arrangements for rehabilitation and return to work.
- (i) To where appropriate, issue Provisional Improvement Notices, subject to the methods and conditions stated in the legislation.

## Injury Prevention Training Essential

We again remind all Clients that Injury Prevention training is important for all workers. On several occasions we have conducted assessments to find out the percentages of belief and behaviour. Before we do our training, it is common for the ratios to be: 40% believe that most accidents are avoidable and a similar percentage believe that most accidents are not avoidable. Only 10% believe that nearly all accidents are avoidable and a similar percentage believe that nearly all accidents are not avoidable.

Only after we do our training course do these ratios change. We have an extremely valuable training course that reaches into the minds of all workers and gets them to accept that nearly all accidents are avoidable if they work with us and site managers. There are 8 steps to be put into place to make the new programme possible with a very high degree of potential for success. Contact your Consultant now. It is possible to get a 70% change in the belief and the behaviour of all staff – believe it or not.



3.

## Quality Assurance is for Clients who wish to grow their business

We are keen to help all Clients who wish to grow their business. Most Managers think that if they have their Health and Safety "sorted" then they are fully qualified. In fact they are not. They must have quality assurance to an approved standard. They often hasten to point out that they already have more work than they can deal with so they must be well qualified and "have the best sliced bread".

In fact they do not have any sliced bread. Only those who work for low margins will be very busy at all times. They will always get some of the hourly work offered by Corporates and Authorities if they "run a good ship". The more clever Clients will have annual certification of HSE, QA and RMA systems and will get the best price for the best job on a regular basis.



## Timber company fined after worker loses fingers and thumb

25 September 2015. New Zealand Timber Limited has been fined \$51,000 and ordered to pay reparation of \$38,000 after an employee had the tip of a thumb and the fingers on his right hand amputated. The employee has had a number of surgeries on his hand to re-attach his index finger and forefinger. He lost his ring finger, little finger and the end of his thumb. Medical treatment is ongoing.

New Zealand Timber Limited was sentenced today in the Hamilton District Court under the Health and Safety in Employment Act for failing to take all practicable steps to ensure an employee was safe.

On 18 December 2013, the employee - who had only been on the job three days - was operating the rise and fall saw when sawdust flicked off the blade into his eye. While wiping his eye, the victim inadvertently put his right hand on the saw bed over the blade shot. As he leant forward he accidentally hit the knee knocker activation switch. The saw blade rose through the blade slot, and cut through his fingers and thumbs.

## Warning Signs are now Available and they are compulsory – Secs 36-37

Summit Systems Ltd has designed three signs to help Clients comply with the new laws.

- a) Large warning sign for front of site 392x550
  - b) Medium size sign for hazardous areas or for a site with contractors. 392x470
  - c) Small info sign for rear entrance and for all buildings that are not to be entered. 392x400
- Contact your Local Consultant or our Office.

