

### **Experience Rating Bonus**

Clients are advised that it is important to complete several things that will take them along the highway towards maximum experience rating reductions.

You can be sure that we have analysed the process in great detail and have found that there are 35 different things that have a significant impact on your experience rating status.

We do not publicise the list as we have hundreds of competitors around NZ. We do however encourage clients to undertake certain things with us that are important to achieve to ensure that the site will qualify for the maximum reductions from year to year.

The most significant things to carry out are as follows:

- a) annual audit and certification of system and site
- b) annual review of management system to ensure up to date
- c) bi-annual training of all staff in injury prevention
- d) bi-annual training of all safety officers on site
- e) review and update of Company Doctor forms and process
- f) job task analysis or safe operating procedures completed and signed off
- g) analysis of accidents and incidents and supply of training videos
- h) obtain and issue regular newsletters from head office to inform staff

### **Notification of Accidents**

The Worksafe NZ would like all sites to fill in an on-line notification form of all accidents, harms, incidents and illness events that apply under the new Act.

You are advised that if you do the above, you immediately expose your site to the risk of serious prosecution. DoL has three categories for the seriousness that they consider for NZ.

Our recommendation is that you advise us of the incident or accident or harm and let us contact DoL Worksafe to find out their view of the seriousness of the event. This means that they can classify the event as type 3 "unlikely to prosecute", then we or you can report it without high degree of potential prosecution.



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## News & views from Summit March 2016



### **High Risk Industries – definition and coverage (Safety Reps)**

The NZ Government has consulted on the HSE Regulation using the taxonomy of the Australia and NZ Standard Industry Classification (ANZSIC) Level 3. It will be a simple matter for businesses to check their ANZSIC code.

### **What constitutes a 'high risk' Industry?**

The definition of "high risk" would or could cover the following criteria:

- a) Businesses that the risk of a catastrophic event causing multiple fatalities; or
- b) Any industry with a fatality rate greater than 25 per 100,000 workers; or
- c) Any industry with a serious injury rate of more than 25 per 1000 workers.

### **Coverage of Industries and Workers:**

The defined 'high risk' industries on the proposed schedule cover more than a quarter (57 of 214) of all industries on the ANZSIC list. In terms of the total workforce, the proposed schedule would mean that around three-quarters of all workers will not be covered by the exemption and will have the ability to elect a health and safety representative on request.

### **Practical Proposals being considered**

The Department has developed a package of practical proposals to improve its approach to high hazard industries. These include:

- **establishing** a nationally-led High Hazards Unit to improve the leadership, planning, and relationship management for the Department's inspection and enforcement work within high hazard industries
- **recruiting** additional expertise and better utilising the Department's general workplace inspection resources to improve enforcement capacity
- **implementing** the other recommendations from the Review of the Department of Labour's Interactions with Pike River Coal Limited, including:
  - o general safety system audits of underground coal mines
  - o leadership in developing mining codes and guidelines, in collaboration with the mining sector
  - o developing internal operating systems, guidance material, processes, and practices tailored to the technical requirements of the extractives sector, thereby enhancing the Department's responsive regulatory approach
- **enhancing** engagement with the high hazards sector, including other regulators, industry bodies, operators, and employee organisations
- **entering** a contractual arrangement with Australia's National Offshore Petroleum Safety Authority (NOPSA) to improve the Department's access to technical expertise, and
- **improving** collection, use and sharing of high hazard information. The High Hazards Unit will report to the Labour Group's General Manager, National Services and Support, a third tier role. The structural changes will be cost neutral.

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### **Manufacturing Sector has special hazards**

The manufacturing sector employs 250,000 workers within a diverse range of industries. There are a number of large employers but small to medium businesses make up 91% of the sector.

There have been a high number of workplace injuries in the sector due to inadequate guarding and machines not being used safely. These issues are WorkSafe New Zealand's focus and as a result, we have developed new resources – the first to be released in almost 20 years.

The new resources are the Best Practice Guidelines for the Safe Use of Machinery, an accompanying Safe Use of Machinery toolkit produced specifically for small to medium businesses and a set of machine-specific fact sheets.

Guidelines for Ergonomics are important for all work stations and you can get a copy from our office.

In the event that you buy new machinery you will need to take care to ensure that it is properly guarded. You can take photos and email them to us so that we can easily give you proper advice.

We also hold a copy of AS 4024 which is the Australian Standard for Machinery Guarding and is taken as the Bible of Machine Guarding in the law Courts of NZ. We are very familiar with this document and have been able to assist many clients over 25 years.

We also advise clients if they are manufacturing new designs and this is important if you wish to ensure that you do not end up with problems with DoL later on.



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### **Financial systems under threat**

The United States of America is moving as fast as possible in a pathway of destruction and it is now inevitable that there will be a series of crashes and that they will probably commence this year.

The consequences will hit and harm most or all nations. There will probably be much greater wars in the middle east. There will be earthquakes and famines. There could potentially be a huge financial crash.

Trillions of dollars are being spent on escape measures and mechanisms to try and ameliorate the incredible impact. The only way of escape is through Yeshua who means safety and protection of health.



### **Fruit and veg processor to pay \$250,000 finger amputations**

In a reserved decision released today 7 March 2016, Prepared Produce Limited was fined \$196,406.25 for six offences and ordered to pay \$57,000 in reparation to three victims.

The fruit and vegetable processor pleaded guilty to three charges under the Health and Safety in Employment Act for failing to take all practicable steps to keep workers safe. They also pleaded guilty to three charges of failing to notify WorkSafe New Zealand of an occurrence of serious harm. They were sentenced in the Manukau District Court.

The three incidents occurred over a period of 18 months and all involved amputations while operating belt slicer machines. The first incident occurred on 26 July 2013 when a worker had his right middle finger and the tip of his ring finger cut off.

The second incident happened on 9 November 2014 when a worker suffered a partial amputation of his right ring, middle and index fingers. The third incident occurred on 22 November 2014 when an employee had his right index and middle fingers sliced off.

On all three occasions, Prepared Produce Limited failed to notify the workplace health and safety regulator. Instead WorkSafe only became aware after the Engineering, Printing and Manufacturing Union made a complaint in December 2014.

All three victims have been substantially affected by the incidents – both physically and emotionally. They find it hard to work; they struggle to hold objects in their hands; they suffer serious pain from their injuries and their relationships with families and friends are strained. In the decision, the Court found that an inadequately guarded belt slicer poses an obvious risk to employees. Following the first accident, Prepared Produce Limited should have been put on notice and responded appropriately. WorkSafe's Chief Inspector, Keith Stewart, says that had the regulator been notified of the first incident, the other two could have been prevented. "