

TRAINING COURSE NOW AVAILABLE FOR SAFETY OBSERVER

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SAFETY OBSERVER COURSES – INTRODUCTORY FEES

- Safety Observer 2 candidates each \$199+\$25+\$25 = \$249+
- Safety Observer 4 candidates each \$139+\$25+\$25 = \$189+
- Safety Observer 6 candidates each \$99+\$25+\$25 = \$149+
- Two Trips for travel and add GST



SAFETY OBSERVERS

Safety Observers need to be trained and qualified. They can include all normal workers but this will only work where they agree to the role and get formal training and then undertake the duties that are involved in a faithful manner. Nearly every site should have several qualified people.

Summit Manager Name _____
 Telephone/Email _____

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Rev 14.9 KJV War in Heaven. The great dragon was thrown down, that ancient serpent, who is called the Devil and Satan, the deceiver of the whole world—he was thrown down to the earth, and his angels were thrown down with him.

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WORKSAFE IS NOW INTRODUCING WORKER EMPOWERMENT

OPINION OF GEORGE PAUL CARSON CEO MD
 IN RELATIONSHIP TO SECTION 45 HSAWA 2015

In the matter of liability for workplace accidents and likely culpability in terms of degree, it is my opinion that the Directors, Owners and Managers will have ultimate liability in all cases to the first degree unless and until they have a firm legal agreement in place of such adequacy and detail that the workers on the site have agreed to accept empowerment and to hold personal accountability for the performance of the tasks within their province and control but provided that such workers must be given adequate training in the work and in safety observer roles, functions and duties.

The liability will however be subject to the Directors, Owners and Managers being qualified as Safety Officers or equivalent qualification (pursuant to sections 17 & 18) and the workers having been issued with high quality job task analysis and in addition, all other parties coming on site being subject to legal agreements to ensure that they perform the full range of duties as PCBU and more especially to address section 34.

It follows that WorkSafe NZ will hold workers accountable for the safe performance of the work where the protocols have been properly put in place and it further follows that the workers will in most cases not be held accountable where the owners directors and managers have failed to put in place a legal empowerment with formal training for the workers.

In simple language NZ business managers who like to think that they have got health and safety all covered will continue to get prosecuted and the fines will continue to increase. On the other hand the managers who have a formal safety contract as well as an employment contract for all staff, will in most cases not be directly liable for an event beyond their personal control if they have completed their various duties in a faithful manner.

By way of explanation, it is also my view that a 15 page document in the form of safety agreement with all workers would be adequate. A job description and employment contract are entirely different and will never satisfy/qualify for this.

2.

HOW MUCH IS IT WORTH IS WE GET WORKER EMPOWERMENT?

We can prove with testimony that it is possible to get a reduction of 50% or more in workplace accidents by the use of worker empowerment and by have suitable rewards for high level workers.

We have carefully calculated that the amount of money per year that can be saved is approximately \$6 billion NZD. This would be \$2,000-3000 dollars per family per year if you are interested.



THE FOUR PARTS TO THE PROTOCOLS OF NZ

1. The Owners, Directors and CEO referred to as PCBU sections 17-18. They must be trained and qualified as Safety Officers. Responsible Managers and Controlling Officers as they would be known in NZ Govt circles. They also come under PCBU sections 17-18. They also should be qualified.
2. The Owners, Directors and Managers must provide all workers with high quality Job Task Analysis or Safe Operating Procedures or SWMS and they must be sufficient in number and detail for all jobs tasks and machines.
3. Other parties such as members of the public or subbies that come on site and cannot be easily controlled except by formal agreements. This is usually taken as the three Cs vis consult, communicate, and coordinate. This part of the Act (section 34) does not solve the liability and responsibility.
4. The workers as stated in section 45 (old Act section 19) are to be made responsible. Actually little or none of this is happening and the Departmental Officials have written excellent documents and they now appear keen for nationwide agreement to bring about high level commitment, cooperation and championing of the cause of worker empowerment.

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3.

**WHAT ARE THESE MEERKATS ABOUT CAN YOU EXPLAIN?
The animal kingdom can teach us to prevent injuries at work**

We are going to continue the article from December in relationship to the Meerkats and this will also include the picture below which is relevant for this message. It is a known fact that the workers and not the Managers are involved in nearly all of the workplace accidents. It is also a fact that nearly all workers are given adequate on the job training as any Manager trying to avoid this would be quite foolish and damaging to his or her own business.

It also is a fact that we are no longer in 20th century England with the Factories and Commercial Premises Act 1936. There are some sites that deprive workers of decent conditions & normal facilities but they are few and far between (mainly forestry related). What I am saying in a round about way is that nearly all NZ Managers have a reasonable standard of workplace conditions and hygiene.

BENEFITS FOR THE WORKERS – to be agreed with Management

1. They will be able to expect that their PCBU managers will be much less likely to get a major fine and this will mean much improved business continuity and job security.
2. If they are an accident victim, they will be able to get a relatively quick fine awarded and get the payments flowing right away rather than having to wait a whole year for WorkSafe to run its standard prosecution procedure.
3. The workers will be able to expect other workers to come to their aid and not stand idly by when an accident is about to happen. Workers will need to be given observer training.
4. In the event of an accident, they will be able to get extra benefits from the employer such as 100% of wages in return for performance of light duties. They will be able to expect payment of things such as fee for medical specialist appointment (\$240) that may be turned down by ACC. Each case will be considered on its merits.
5. They will be able to access our helpline in the event that they have an accident which could become a prosecution by WorkSafe NZ. This means that they would come under the umbrella of the company for legal protection.
6. Annual ACC can be reduced under Experience Rating Bonus by up to 50%.
7. Workers prosecuted under HSAWA 2015 become criminals but if they are fined under the internal protocols system they do not become criminals.

