



AUSTRALIAN COUNCIL OF TRADE UNIONS

Taking Actions To Eliminate the Hazard and Reduce the Risk

Steve Mullins
ACTU OHS Officer



The Fundamentals

- Consultation
- Eliminating the Hazard

- *to consult with employees and, if requested, employee representatives to develop health and safety management arrangements (HSMA's) that will enable effective co-operation between the employer and employees in promoting, developing and reviewing measures to ensure its employees' health, safety and welfare at work;*

- *(1) An employer who is required to consult with employees must do so by—*
 - (a) sharing with the employees information about the matter on which the employer is required to consult; and*
 - (b) giving the employees a reasonable opportunity to express their views about the matter; and*
 - (c) taking into account those views.*

- *(2) If the employees are represented by a health and safety representative, the consultation must involve that representative (with or without the involvement of the employees directly).*

Consultation

- effective workplace consultative and participative arrangements lead to improved OHSW as determined by the cost of workers' compensation.
- “Recognising, valuing and supporting the role played by elected workplace health and safety representatives is the key to improving workplace safety...”



“All sites should have safety representatives and their role and functions should be reinforced as part of the safety management system.”

Life Cycle Approach to Risk Management

- (a) Periodically in the ongoing operations of the business;
- (b) In the planning, design, manufacture, procurement, construction and modification of work premises, plant, substances or materials for use at work;
- (c) Before changes to work practices and systems of work are introduced;
- (d) Prior to the shut down, decommissioning, dismantling or demolition of premises or plant;
- (e) When new or additional information becomes available from an authoritative source; and
- (f) When a hazardous exposure or incident, injury or illness, or adverse result of work environment monitoring or health surveillance indicate that risk control measures are inadequate.

So when do you involve HSRs?

- Answer - At every stage

Eliminating the Hazard

What is BBS?

“require front line staff to carry out behavioural safety observations on their colleagues”

UK's Health and Safety Executive

“BBS is frequently turned to when organisations have reached a plateau in the safety performance.”

- “Many companies have experienced a 40 – 75% decline in their accident rates within 6-12 months”

- “...96% of all workplace accidents are being triggered by unsafe behaviour”

“So putting up a guard might in fact encourage them (workers) to get closer to the hole that’s being guarded, or encourage them to take more risks because of the extra perceived safety by that guard.”

E. Scott Geller, NACOSH Meeting,
Washington D.C. , April 9, 1997





What must be present for an
“unsafe behaviour”?

a **HAZARD**

There are no exceptions

All injuries and illnesses are a
result of exposure to a hazard

Risk Assessment



**Hazard
Identification**

- Data analysis
- Surveys
- Interviews
- Worker complaints
- Government regs
- Inspections/audits

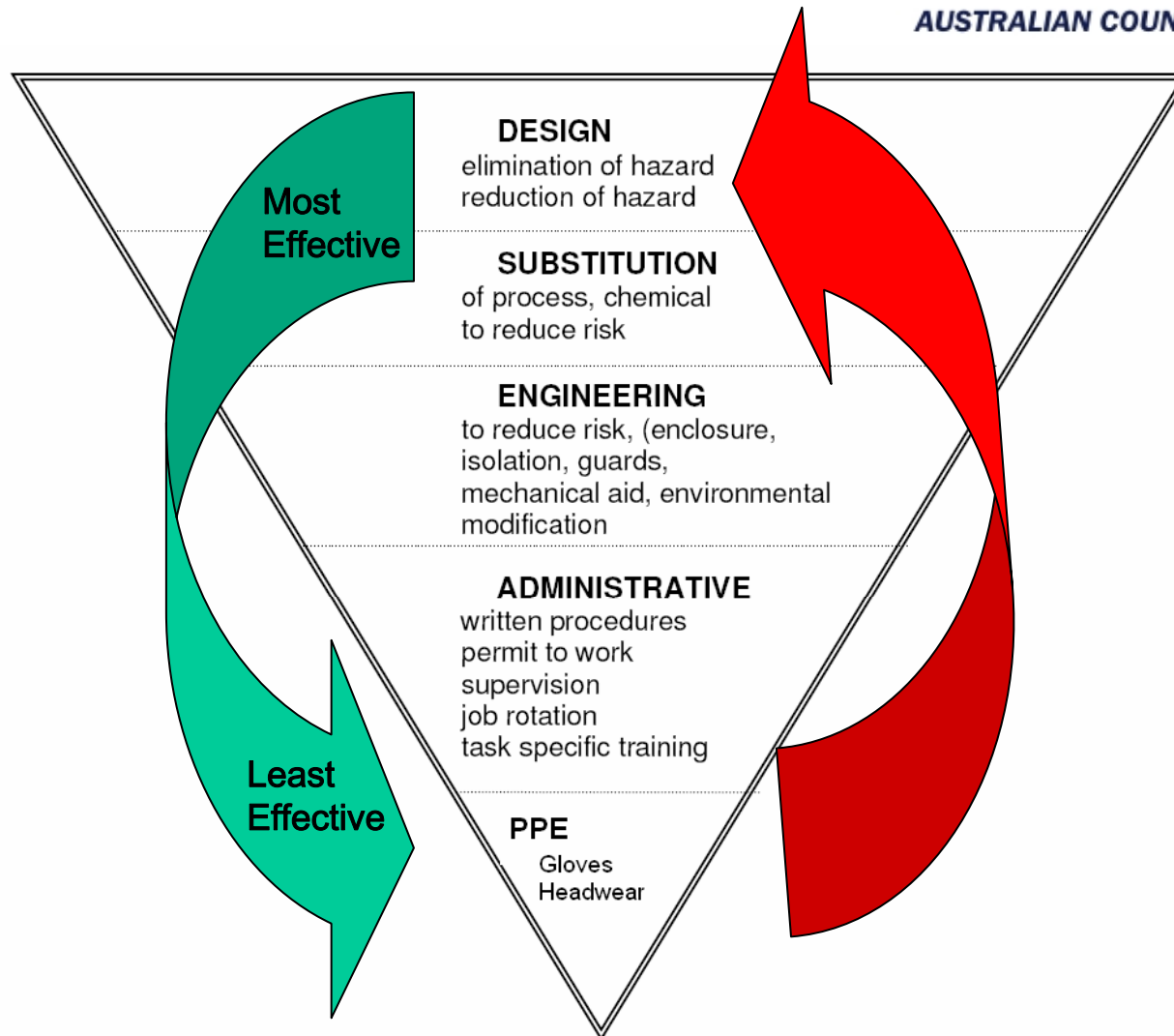
**Risk
Evaluation**

- Prioritise hazards
- Risk analysis

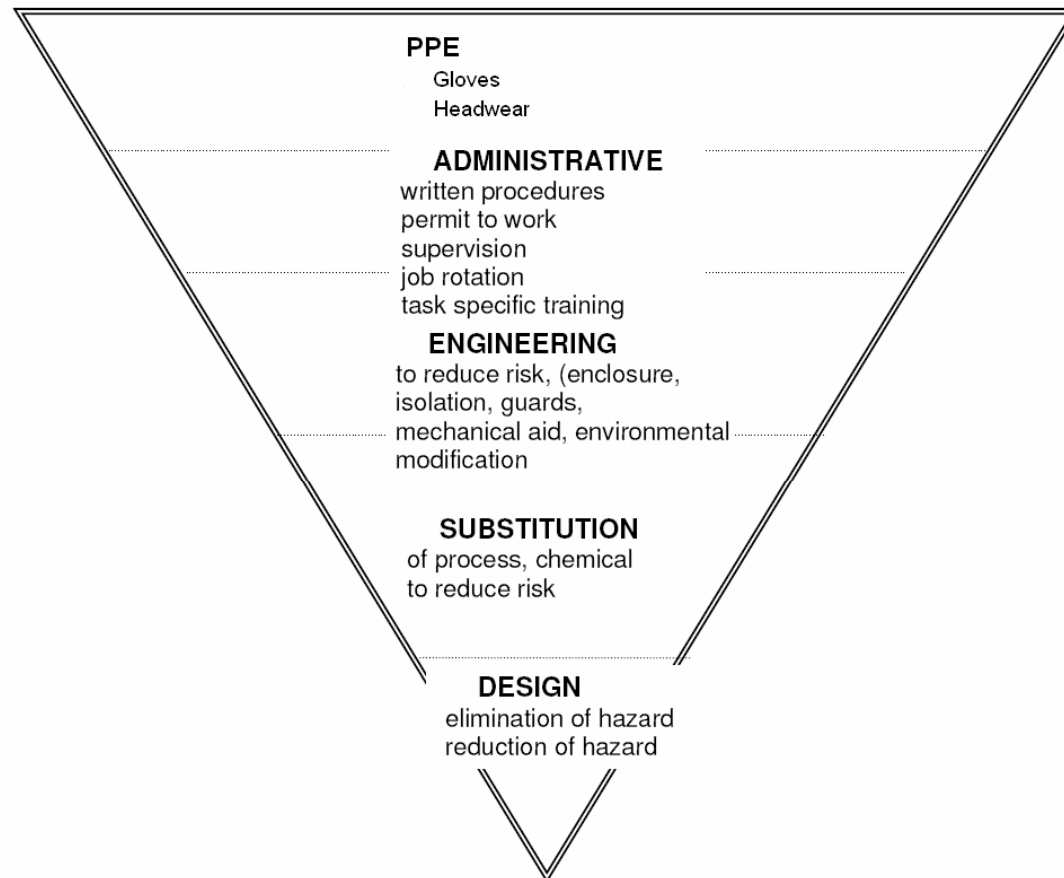
**Risk
Control**

- Select controls based on hierarchy

- “Three basic steps [that] should be taken to ensure a safe and healthy workplace. They are based on the concept that the workplace should be modified to suit people. Not vice versa.”
- Source: WA Commission for Occupational Safety and Health
- “Guidance Note - General Duty of Care in Western Australian Workplaces”



The focus is reversed



So what you end up having is



Data Analysis

Risk Analysis

Duck

Dodge

Jump Out of the Way

Lift Safely

Wear PPE

Avoid “Line of Fire”

Eyes on task

Worker Observations

Interviews

Inspections/Audits

Fixing the Workplace v. Fixing Behaviour

- In the behaviour modification model, the only thing of importance is the observation of how the welder performs their task.
- In a fix the workplace approach, the starting point is that hot work on a running process unit in an oil or chemical plant is inherently very dangerous.

Fix the workplace questions

would include:

- Why did the line fail?
- What is the historical record of failures on this piping system?
- Was the pipe engineered and installed properly?
- If not, what failed in the engineering and design system?
- Why didn't the inspection system detect the thinning pipe prior to it failing?
- What needs to be changed in the engineering and inspection systems to prevent further similar failures?
- Can the line be repaired without use of hazardous hot work?
- Can the section of line be removed from the unit and repaired in the shop?
- Can the unit be shut down so that the repair can be done more safely?

ABS Work Related Injuries

| | 2000/01 | 2005/06 | Difference |
|-----------------------------------|-----------|------------|--------------------------|
| Workers in workforce | 9,687,300 | 10,838,600 | 1,196,560 / 12% increase |
| Injured and ill | 477,800 | 689,500 | 211,700 / 44% increase |
| Percentage who suffered an injury | 5% | 6.4% | 1.4% increase |

- **WorkCover Authority of New South Wales (Inspector Simpson) v Delta Electricity [2007] NSWIRComm 226 (12 September 2007)**

- “D-ZIP has been implemented in all of Delta Electricity’s business units and the corporate office to reduce at-risk behaviours and improve safety performance. Delta Electricity has trained over 95% of its employees and a number of contractors as D-ZIP observers...”

The Decision

- I determine penalty in this matter and make orders as follows:
- (1) The defendant is convicted of the offence charged;
- (2) I impose a penalty of \$190,000;
- (3) I allocate a moiety to the prosecutor on the usual terms;
- (4) The defendant is to pay the costs of the prosecutor as agreed or assessed.

- “Commendably, Delta received an award from the Labor Council of New South Wales in 2004/2005 for excellence in workplace safety in relation to a proposed fatigue policy. That policy was subsequently adopted and is currently in force.”

Remember

- Eliminate the hazard
- Consult and involve HSRs
- **DON'T BLAME THE VICTIM**