

## Asbestos: An Ever Present Threat



which meant that it could end up paying income tax of up to 40 per cent. The decision drew criticism from James Hardie chief Louis Gries who was reported saying that the decision, "places the viability of the final funding agreement in doubt". Victims' advocates also criticised the move and called on the tax office to review their decision.

Union representatives rallied against the decision and Federal Treasurer Peter Costello told the ABC that, "the idea (James Hardie) can somehow walk away from its obligations is not one that the Australian public will support (and) it's not one that I will support." The Australian Tax Office did offer a concession to the company where-by all payments made to the special compensation fund would be completely tax deductible.

The controversy continues, as does the threat posed by Asbestos in the community. WorkSafe WA

Former Asbestos workers have been in a long-running battle with the one-time building products company James Hardie over compensation for diseases caused by exposure to deadly Asbestos fibres. The latest development has seen James Hardie locking horns with the Federal Government over the tax status of the special compensation fund set up for the victims.

The Australian Tax Office refused to grant the fund charity status

Commissioner Nina Lyhne told Safety First, "the reality is that there is still a lot of Asbestos around. Obviously if Asbestos is left undisturbed it present very little risk, but houses are demolished and things are cleared out so there will be times when people have to work with exposure."

"There are a whole range of standards that are in place that require people to work in certain ways with Asbestos," the Commissioner continues.

As of 1 December 2005 a new set of regulations came into effect that aims to minimise workplace exposure to airborne asbestos. Asbestos causes cancer in humans and inhalation of asbestos fibres can cause asbestosis, lung cancer and mesothelioma.

A copy of the WorkSafe publications can be obtained at [www.worksafe.wa.gov.au](http://www.worksafe.wa.gov.au) or by calling (08) 9327 8777.

# 6.1 OSH BULLETIN

## 6.1 INCIDENT REPORT NEWSLETTER

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### Safety NOT a Foreign Concept

The scenes were splashed across the media, union heavyweights clashing with construction bosses over the issue of foreign workers. It's a controversial topic and one that stirs up a lot of emotion in the union movement and in particular with the construction union, the militant CFMEU.

These foreign workers are often called 'guest workers' and unions accuse construction companies of trying to get compliant workers from overseas for low pay. Builders reject this saying that the booming WA economy is causing severe shortages in a number of skill areas.

Jerry Hanssen, of Hanssen Pty. Ltd., is expected to ask Department of Immigration officials to increase the number of foreign workers allowed on his sites to 160.

"Safety is a top priority on most WA building sites but whether workers coming here, possibly on a short-term basis, have a similar safety culture is



just impossible to know," says Safety First's Kevin York.

There are obvious issues with foreign workers resulting from possible 'gaps' in English language or reading and writing skills. These can present difficulties in reading safety signs and notice boards, understanding safety regulations and procedures and also in ascertaining whether workers understand safety information.

"From my experience all of the workers from overseas he has employed speak good English," says an occupational safety and health professional who provides services for Hanssen and has requested to remain anonymous.

The less obvious issue is safety culture. "If you've been doing something in another country a particular way for many

years, it's going to be very difficult to change that culture so that it corresponds to the existing safety culture in this country," Safety First's Mr York continues.

Hanssen's OSH auditor points out, "these workers aren't unskilled labourers, they're highly qualified and highly skilled workers." Each worker on a Hanssen site completes a site-specific safety induction and a safety awareness-training course known as the Green Card. As part of this, workers are instructed that communication and consultation is the key workplace safety and that "all incidents and accidents are to be reported."

WorkSafe WA Commissioner Nina Lyhne met with the CMFEU and Hanssen management to address the issue and Safety First spoke to her about the issues. A transcript of the interview is inside.

The interview with Commissioner Lyhne is available for pod-cast at the Safety First website.

### OSH HEADLINES

#### Regular Boozing a Growing OSH Risk

A new study has shown that workers may be putting themselves at risk through regular episodes of binge drinking.

The report by the Australian Institute of Health and Welfare (AIHW) has shown that 17% of employees had a binge-drinking episode at least once a month that placed them at risk of workplace harm and that 9% had a similar episode weekly.

#### Fall Prompts Review

A 48-year-old construction worker died recently in Canberra after falling through a hole in a slab floor.

An investigation into safety practices on site has been launched following the death and amidst union claims that their officials were being denied access to sites to conduct safety checks.

#### Fine Over Fall

Westeel Homes have been fined \$7000 for failing to provide a safe workplace after an employee slid off the roof of a house in the coastal town of Green Head.

The terrifying fall left the 29-year-old employee with spinal damage after he fell almost 4.5 metres to the ground while working on the house's roof. The side he fell off had no edge or fall protection.

## ENVIRONMENTAL TOBACCO SMOKE (ETS) and Passive Smoking

2006 has seen an number of issues arise that have highlighted the damage passive smoking can do.

✓ the US Surgeon General has just released a report saying that smoking kills and should be eliminated from all workplaces. It was the first report by the Surgeon General into second-hand smoke since 1986 and was seized on by Australian health groups who have called on governments to act.

✓ Just weeks ago the State

Government found themselves under pressure to make it illegal for



people to smoke in their car while children were passengers. Health minister Jim McGinty baulked at

the idea but didn't dispute that passive smoke can cause serious health problems.

✓ and earlier this year, Dana Reeve -the widow of "Superman", actor Christopher Reeve - died of lung cancer. She was a non-smoker.

While the exact cause of her cancer is not entirely clear there is some evidence that links it with her career as a singer, which led her to spend many hours performing in smoke filled clubs and bars.



## Q + A with WorkSafe WA Commissioner Nina Lyhne

people sometimes think of communication, I mean if there is a language barrier then obviously the employer in the workplace has an obligation to ensure that that language barrier doesn't get in the way of occupational safety and health on the worksite.

**SF:** Migrant workers have a long history of participating in the building and construction industry in Australia; the Snowy River Hydro-Electric project is an obvious example. Do you think there is a distinction between these long-term migrants and people who may only be in the country or state on a short-term visa, as a 'guest worker'?

**Safety First:** Do workers from overseas being employed on West Australian building sites pose a unique challenge for occupational safety and health?

**Commissioner Lyhne:** Absolutely, I think that one of the things that people have to remember is that occupational safety and health laws apply to anyone who is working in Western Australia, whether you are a foreign worker or a worker who has lived and worked here all your life. And when employers are bringing in labour from overseas, migrant workers, they need to consider if there are any other safety and health issues associated with doing that.

**Commissioner Lyhne:** Not necessarily, look safety culture is absolutely critical and from where WorkSafe sits, we often see an organisation with a good safety culture - safety is a part of the way they operate - and they do it much better than those that consider safety a sort of bandaid that sits over the top.

But I think we have to recognise that today's workplaces are very different from workplaces from maybe fifty years ago where an employee would work for the same

employer for a long period of time. Workers these days move around a lot and the current labour market certainly means that people are moving around a lot.

**SF:** Do you think that this will be an ongoing issue?

**Commissioner Lyhne:** I think that we're seeing a lot of things that are actually an issue for occupational health and safety at the moment, because the economy is racing along. People are chopping and changing jobs frequently, workers are being brought in from overseas. There's a lot of dynamics going on at the moment and they are all things that have the potential to impact on occupational safety and health.



Some of the obvious ones that

## PROGRAM INFORMATION - Training gets National Status (RTO)

Safety First have been training Safety Supervisors for over 10 years and has recently become a Registered Training Organisation following registration with the Western Australian Training Accreditation Council.

"The essence of the Safety Supervisor Training still exists," says Jetti Mulder who worked with Safety First to ensure that the training course passed. "That is to train people in order to avoid accidents and injuries at work in the future. To help people make their workplaces genuinely safer."

"Now it will look really good on your Resume as well!"

Jenny Buchanan manages Safety First's training schedule and can be contacted on (08) 9456 0338.

## Completion Key to Reporting

The 6.1 Incident Report Form lies at the heart of the Safety First Programme and is an effective method of communication. It can make a big impact on workplace safety.

However it isn't always easy to establish a culture where the lines of communication are kept open. But as the power of the 6.1 in collecting information and making a *real difference* becomes obvious, a trickle of 6.1s can quickly turn into a flood.

This is just what Shane Jones, the Safety, Health, Environment and Quality Officer at Metso Minerals discovered. Safety First met with Shane as he was working his way through a huge pile of 6.1 Incident Report Forms...

**Safety First:** What are some of the safety issues you've encountered in your role at Metso Minerals?

**Shane Jones:** There are a lot of them as you can see (laughs). The biggest one would be safety glasses. We've just implemented safety glasses throughout the site, the challenge is getting the guys to wear the glasses.

Forklifts are a problem, we have a lot of forklifts moving through the factory and there are pedestrians everywhere. And lifting heavy things, dropping things, cuts, back injuries and so it's an ongoing challenge. It never ends.

**SF:** I see there's a big pile of 6.1s for you to look at, how has it been encouraging people to start using them?

**Jones:** I did 'toolbox meetings' first

of all and explained my role. So I've explained my new role, how we were going to do it and that's through the 6.1.

In the first couple of weeks people started to bring them in and we started to work through them. Then they could see they got some of the results they were after and that prompted them to keep bringing more in.

**"It just started snowballing, as you get results, they keep coming in."**

**SF:** How do people see the 6.1 form, is it seen as an extra hassle, as extra work?

**Jones:** To some people it is yeah, it depends on the person but it is changing.

At the end of a 6.1 the last thing you do is return to the person who initiated it and get him to sign off on it, so he can see what I've written on it, what the manager has written and there is all this information there. This just wasn't happening before.

**SF:** Can you tell me about some of the results, what are some of the actions that have been taken?

**Jones:** Well here's one that is just on the top on the pile. We have one area that uses rubber, they have off-cuts and they throw them in a bin. We then use these off-cuts and can reprocess them. So some guys in this area are loading the bins up really high not thinking of the guys down the other end who are picking up the bins.

One of these guys raises a 6.1 and I go out there and speak to the guys at the start of the process and come to an agreement with them. I take the camera out there and take photos of the bins. And then I can show the guys and say, "how do you expect someone to lift that?" They see that obviously it's not real smart. I can pin up a memo with the picture on it and it stops. Suddenly that problem is just gone, it's that simple.

But the thing is that this guy has been doing it for I don't know how many years and thinking about it and complaining about it but nothing is ever resolved. And now the person who initiated the 6.1 is happy.



Metso Minerals have a factory in Cannington, established over 10 years ago, which manufactures parts and components primarily for the mining industry. They employ around 70 people on the factor floor with 15 administrative staff. The manufacturing process involves heavy machinery such overhead cranes, punching machines and forklifts are used throughout.

The booming WA resource sector keeps Metso's Cannington operation running 24 hours a day, 7 days a week