

the monitor

keeping industry informed of developments in occupational health and safety



National model legislative update

The Gillard Government has introduced the Work Health and Safety Bill to Federal Parliament. The Bill will provide the structure for harmonisation of occupational health and safety laws in all Australian states during 2012.

Regulations and the 12 Codes of Practice circulated earlier by Safe Work Australia, which have been modified following public comment, will be released in the near future, enabling the proclamation of the Bill.

In Western Australia, legislation to mirror the national Bill (except for contentious issues e.g. entry permits and high levels of penalties) is still under development together with the necessary regulatory package. Current Codes of Practice will continue to apply until superseded by updated national codes.

The situation is more complex for the mining industry which will continue to operate under the Mines Safety and Inspection Act until the Mining Work and Safety Act (WA) is finalised and must also take account of the Model Work Health and Safety Regulations and accompanying mining Codes of Practice under development by Safe Work Australia.

A table outlining the materials being released by Safe Work Australia and the timing appears on page three.

Occupational health and safety professionals are likely to have great difficulty coming to grips with the range and complexity of the new legislative and regulatory requirements. It is not only the volume of documentation but the detail embedded in regulations and codes that needs to be understood and put into practice.

MARCSTA will make every endeavour to keep OHS professionals informed on key issues and developments.





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As a Registered Training Organisation, MARCSTA delivers occupational safety and health units of competency for the following national training packages:

- Transport and Logistics
- · Business Services
- Resources and Infrastructure Industry
- Construction, Plumbing and Services Integrated Framework

Applications for recognition of prior learning may be lodged for all training programs.

Archived editions of the Monitor are available online at www.marcsta.com

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To support the Model Work Health and Safety Act, Safe Work Australia, in conjunction with the National Mine Safety Framework, have released draft model Work Health and Safety Regulations, model Codes of Practice, a Consultation Regulation Impact Statement and Issues Paper for public comments.

The following table outlines the timing and materials that will be released:

Release date	Public comment period	Public comment closes	Materials to be released for public comment
15 July 2011	8 weeks	9 September 2011	Model WHS Regulations – MiningIssues Paper
15 July 2011	12 Weeks	7 October 2011	 Model Codes of Practice for mining Work Health and Safety Management Systems Managing Naturally Occurring Radioactive Materials Strata Control for Underground Coal Mines Roads and Other Vehicles Operating Areas Inundation and Inrush Hazard Management Emergency Response for Australian Mines Mine records
25 July 2011	6 weeks	9 September 2011	Consultation Regulation Impact Statement (RIS)
25 July 2011	10 weeks	7 October 2011	 Model Codes of Practice for mining Survey and Drafting Directions for Mine Surveyors Mine Closure Ground Control in Underground Mines Health Surveillance in Mining Ventilation of Underground Mines Ground Control for Open Pits Underground Winding Systems

Source: Safe Work Australia

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LEGISLATION

OFFSHORE GAS AND OIL INDUSTRY TO BE REGULATED BY COMMONWEALTH



A new system to regulate the offshore gas and oil industry has been approved by the lower house of the federal Parliament.

The measures arise from the Montara oil and gas spill into the Timor Sea in August 2009.

The Montara Commission of Inquiry reported that "the regulatory regime was too trusting and that trust was not deserved".

Under the changes, the seven state and territory authorities will be replaced by a single Commonwealth body – the National Offshore Petroleum Safety and Environmental Management Authority, which will be based in Perth with operating costs recovered from industry.

In a Working Paper from the National Research Centre for OHS Regulation, released in May, Dr Jan Hayes, Senior Research Fellow suggests that "the fundamental management problems require a different regulatory response – one that addresses directly the competence and capacity that we expect from organisations that we allow to develop our nation's natural resources."

Source: National Research Centre for OHS Regulation

Readability of WHS documents

Geoff Taylor has conducted a survey of some WHS codes of practice from the Commonwealth and all states and territories, on a range of topics.

This used an accepted measure, McLaughlin's SMOG grade, to

analyse some operative parts which contain full sentences. The median grade was 14, equivalent to the literacy level of a person with some US college (university) education. The range of required literacy levels was from 11 (just below senior high school graduation) - 18 (postgraduate studies). Based on a recent international literacy survey, about 58% of mid-high school students in Australia could have reading material at SMOG grade 11 or more. A follow-up survey using a number of different readability indices has been conducted on WHS documents from eight countries but restricted almost exclusively to three key WHS topics.

In a check on the draft model WHS codes the median grade was 15 (some university).

Further similar work on company WHS documents is now ongoing.

Journal of Health Safety and Environment 2010, 26(5).

Industry's expectations of the Mines Inspectorate unchanged over 15 years

A Baseline Perception Survey of stakeholders about their perceptions of Resources Safety Inspector roles, services and functions was conducted by Research Solutions on behalf of the Department of Mines and Petroleum. It confirmed the findings of an all-industry comprehensive survey carried out by the Chamber of Minerals and Energy in 1996.

The picture that emerged in 1996 was clear and unambiguous.

Findings:

SAFETY

The role of the inspectorate (inter alia) should be:

- to promote the development of standards, codes and guidelines
- to give advice on health, safety and technical matters
- to attend operations frequently and be readily available for all these purposes

The professional specialisations available in the inspectorate should include:

- · safety management and systems
- mining, civil and electrical expertise
- · occupational health and hygiene
- · risk analysis and management

and should provide a broad base of expertise available to give advice and support rather than an 'inspection' mentality

Communication skills, approachability and commitment to the philosophy underpinning mining legislation were considered essential.

The participation level in 1996 approached 100% from both mining operations and major contractors.

The recent survey had a response rate of about 30%.

The strategic conclusions of the recent study, although limited, generally confirm that little has changed in industry's expectations of the role of the inspectorate in the past 15 years.

Senior management needs to improve attitudes to workplace safety

The Australian Institute of Management, and the Safety Institute of Australia conducted the 2011 Business of Safety survey. It has revealed that only 47% of OHS personnel and 55% of HR personnel agreed with the 88% of CEO's/board members and 70% of senior managers who believe that top level management "walked the talk" when it came to safety.

These results are similar to the Safety in Action 2009 study which found that 71% of CEOs say OHS is "a very high priority" yet only 44% of OHS personnel agree with the CEO's stated views on this matter.

These results can be expected to improve when the national model Work Health and Safety Act is in place and the various states have enacted identical legislation which places direct responsibility on senior management and directors to provide safe working environments.

Source: Workplace Improver Blog





WORK-RELATED TRAUMATIC INJURY FATALITIES 2008-09

Safe Work Australia has released its latest report on work-related deaths due to injury.

The report shows that there has been little change in the number of workers killed, with 286 deaths in 2008-09, 100 of which were due to traffic incidents on public roads. One hundred and seventeen workers died while travelling to or from work and 41 members of the general public were killed as a result of someone else's work activity.

The report also shows that 358 truck drivers were killed over the six years to June 2009.

Over half (54%) of those fatally injured while working in 2008-09 were employed in four industries:

Construction	44
Road Freight Transport	44
Agriculture	41
Manufacturing	25

Fatality rates (deaths per 100,000 workers) for major industry sectors were:

Agriculture, Forestry, Fishing	20.4
Transport, Postal, Warehousing	11.2
Mining	7.2
Construction	4.5
All industries	2.6

Source: Safe Work Australia Work-Related Traumatic Injury Fatalities, Australia 2008-09

Workers' compensation entitlements increased

WorkCover WA has advised that the Prescribed Amount, which is the maximum amount an injured worker can receive in terms of weekly payments for loss of earnings during the life of their claim, has been increased by just under 4%, from \$183,394 to \$190,701 for the financial year 2011-2012.

Source: WorkCover WA



The US Mine Safety and Health Administration (MSHA) has released a comprehensive Public Briefing paper on its findings about the explosion at the Upper Big Branch South Mine in April 2010 which left 29 miners dead. It concludes that operator failures contributed to the explosion.

Massey, the company that owned the coal mine has rejected the findings claiming that the explosion was caused by "a massive inundation of natural gas".

Given the legal procedures that operate in the USA it may be some time before the MSHA conclusion's are either accepted or rejected.

Source: US Department of Labor Release 11-767-NAT

KCGM safety milestone benefits local blanket appeal

KCGM and its contractors have achieved a new safety milestone completing 2 million hours without a lost time injury.

Employees, who earn \$10 each for every million hours worked without a lost time injury, have voted to donate the \$20,000 entitlement to the City of Kalgoorlie-Boulder Mayor's blanket appeal.

Source: Kalgoorle Miner, Photo ©Kalgoorlie Miner



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VISUAL ASSETS USED TO IMPROVE WORK PRACTICES INCLUDING SAFETY

Metcam, a fabricator of precision sheet metal components and assemblies in the USA, has found that creating documents for training assembly workers is a daunting task and providing up-to-date work instructions requires constant attention to the documentation.

Until December 2010, the company employed traditional written work instructions, augmented with photographs and diagrams which had to be controlled and stored so they were readily available for training the assembly operators. The process was time consuming and added no real value to the product.

Above: Photo showing two of the five monitors displaying work instructions in this particular assembly cell. The monitors are controlled by a single PC. When the team leader selects an assembly number, all five screens are updated with the relevant work instructions.

Metcam devised a new approach for work instructions creating a system that would make work instructions totally visual and paperless.

Believing that human beings' innate capacity for visual learning could be employed successfully in training their workers, it designed individual work stations, each equipped with a flat-screen monitor. Full colour, digitised images of each station's operations, with critical points clearly marked, were stored as a group on a computer dedicated to that specific fabrication cell.

The computer transmits the visual work instruction for each station to the corresponding flat screen, giving workers an accurate, pictorial reproduction of the operation they are to perform.

The visual instructions not only help train workers in the process through repetitive exposure, but also reminds them of the correct procedure if they need a refresher.

An important consequence is that Metcam plan to use the equipment for safety, personal protective equipment, environmental training and other crucial plantwide communications.

For the full article see http://ohsonline.com/articles/2011/06/01/visual-assets.aspx



Recessions are bad for workplace safety

In a controversial study into whether workplace accidents increase or decrease during an economic boom or a recession, researchers used Austrian work data from blue collar workers in the manufacturing sector. They found that workers who reported an accident in a particular period of time are more likely to be fired later on. Also when deciding about whom to fire, employers take the accident history of workers into account. The researchers also found that recessions

The researchers also found that recessions affect the reporting of accidents; if the probability of being dismissed is high, workers are less likely to report a moderate accident. For severe accidents no effect was found.

In times of high unemployment workers are reluctant to report workplace accidents because they fear employers will hold this against them.

Source: Tilburg University, Recessions are Bad for Workplace Safety

Transpacific Cleanaway fined \$50,000 for workplace accident

Transpacific Industries and subsidiary
Transpacific Cleanaway were fined more than
\$50,000 in the Kalgoorlie Magistrate's Court.

This followed a workplace accident in which an employee lost 40 per cent of the strength in his right arm after suffering a fracture and a torn bicep when his arm was caught between a conveyor belt and a heavy roller.

The prosecutor said that the employee would have lost his arm if co-workers had not responded quickly to his calls for help.

Source: Kalgoorlie Miner

Orientation and training essential for all new employees

The Canadian Centre for Occupational Health and Safety (CCOHS) has expressed concern at the common misconception that age is a factor in the higher rate of injuries among new workers. They maintain that it has nothing to do with age. It is because the worker is new to the job and needs proper orientation and training to be safe and successful.

Workers' compensation claims drop sharply as new workers gain experience, and a vital key to gaining experience is employee orientation.

The Centre recommends the following six steps when taking on new employees:

- assess the job yourself and see what it entails
- provide effective health and safety orientation and training
- ensure all workers know that no one is to perform any task until they have been trained to do so
- ensure that a supervisor is accessible, especially during orientation and training
- ensure that managers and supervisors regularly monitor their workers.

The full article is available from www. healthandsafetyontario.ca

Source: Health and Safety Ontario

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New melanoma drugs improve chances of survival

Two new drugs using very different scientific approaches can **extend survival** among patients with the deadliest form of skin cancer.

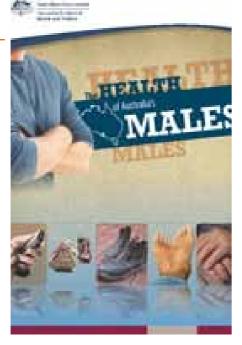
• Vemurafenib is an experimental pill. When taken by advanced melanoma patients, it extended life for patients who typically survive just six months on current treatments. After a median three months of treatment, patients also had a 74 percent reduction in the risk of cancer progression.

Roche, which developed the drug, expects US and European regulators' approval of the drug by the end of the year.

 In a separate study, previously untreated people with advanced melanoma treated with Bristol-Myers Squibb's Yervoy plus chemotherapy lived an average of two months longer than people who underwent chemotherapy alone.

Vervoy works by spurring the immune system to fight off the cancer.

Source: Reuters



Australian males at risk of poor health

A study of the health of Australia's male population released in June 2011 indicates that many males are at serious risk of poor health in the future with the male population continuing to age and have a longer life expectancy.

Some of the key findings:

- around two-thirds participate in sport or physical activity
- only 20% rate their health as excellent
- only 5% consume sufficient fruit and vegetables
- around two-thirds of adult males (18+ years) and onequarter of boys (5-19) were overweight and obese
- nearly half have had a mental condition, nearly one quarter have a disability and nearly half have a chronic health condition.



Wearing hearing protection helps to avoid fatigue

A loud noise can trigger the "fight or flight" response in the human body, a reflex to danger.

This mechanism increases the body's production of adrenaline and cortisone to allow a rapid response to danger by increasing breathing, heart rate and blood pressure.

This can cause fatigue, exhaustion, anger, aggression, physical pain and sleep problems.

Gary Evans, a noise researcher at Cornell University, found that even noise that is not excessively noticeable has a detrimental effect on the body, such as fatigue.

Dr Alice Suter, an audiologist at the US National Institute for Occupational Safety and NIOSH, says that excessive noise has a negative impact on mental health, since noise has been linked to an increase in aggression, decrease in cooperation and suicide.

Source: ISHN, June 2011







DIABETES LINKED TO MENTAL HEALTH AND WELLBEING

The Australian Institute of Health and Welfare has examined the association between the prevalence of diabetes and poor mental health and wellbeing in the Australian population and has found as follows:

- diabetes and poor mental health and wellbeing are both common health conditions in Australia with over 800,000 adults estimated to have diabetes and over 4 million adults estimated to have medium, high or very high levels of psychological stress
- 41% of adults with diabetes report medium, high or very high levels of psychological stress
- those with diabetes have a higher prevalence of poor mental health and well being than those without diabetes
- diabetics who are current smokers were more likely to have a mental disorder and more likely to have medium, high or very high levels of psychological stress than diabetics who were not current smokers.

In another report, Prevalence of Type 1* Diabetes in Australian Children 2008, the Institute reports that an estimated 5,700 children aged 0-14 had Type 1 diabetes in 2008 with the prevalence rate increasing with age although variable depending on state or territory.

It is estimated that the prevalence rate will increase by a further 10 per cent between 2008-17.

* Type 1 diabetes is a serious life-long disease with major health, social and economic consequences for families and the community.

Source: AIHW News Release



HEALTH

FATIGUE

New technology to stop falls in the elderly

Researchers at the University of NSW have developed a simple way of predicting the likelihood of an elderly person falling in the near future, allowing action to reduce the chances of it happening.

Dr Stephen Redmond says that by having elderly people perform three normal every day activities and testing their reactions, their likelihood of falling can be estimated. Their performance is measured by a small device worn on their waist.

In the future it is hoped that just by wearing the sensor for a period of time it will be possible to estimate their risk of falling by monitoring how they perform activities like walking as they go about their daily lives.

While there are already a range of all devices on the market they cannot predict if someone will fall.

Source: WA Newspapers







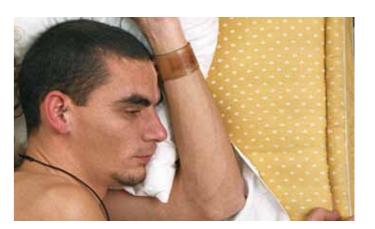
Difficulty falling asleep increases risk of depression

A study at the Centre for Health and Ageing at UWA has found that difficulty falling asleep doubles the risk of depression in older men.

The study found that 60 per cent of the 5,127 men who participated complained of poor sleep.

Depression is the leading cause of disability world-wide and affects between 5 and 15 per cent of adults over 65.

Source: UWA News June 2011



Working hours result in employees getting older, quicker

Long working hours have been the subject of a number of studies in the past. A more recent study by David Peetz and Georgina Murray has generally supported those earlier findings suggesting that "you get really old, really quick" from involuntary long hours in the mining industry.

The researchers found that there is evidence of substantial involuntary long hours in mining, related to 24 hour operations and 12 hour shifts, with adverse implications for the work-life balance. This is made worse where employees lack input into the design of rosters.

The findings suggested that, in order to promote 'good jobs' in the mining industry, there is both a need to revisit protection for employees being forced to work 'unreasonable hours' above the ostensible national standard of 38 hours per week. There is strong support even among mineworkers for a ceiling on hours worked per week

Source: Journal of Industrial Relations (53)1

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Martin Moore-Ede, M.D., Ph.D

Fatigue is an impairment of mental and physical function manifested by a cluster of debilitating symptoms, usually including excessive sleepiness, reduced physical and mental performance ability, depressed mood and loss of motivation, which may result from a variety of causes including:

Sleep deprivation.

Fatigue develops as a result of:

- an extended time awake (acute sleep deprivation), or
- reduced time asleep, or
- disrupted or poor quality sleep (partial sleep deprivation), or
- from the cumulative effect of multiple days with shortened or disrupted sleep.

This may occur in jobs with extended work hours or with night shift (chronic sleep deprivation).¹

Sleep disorders.

Fatigue manifested as excessive daytime sleepiness is the most common presenting complaint in sleep disorders, such as:

obstructive sleep apnea,

- restless legs syndrome,
- narcolepsy (tendency to nod off), or
- most of the other 85 different sleep disorders listed in the International Classification of Sleep Disorders.

Illness or disease.

Fatigue is common in many diseases and illnesses (ranging from flu to cancer) which may occur:

- as a direct result of the metabolic or other systemic pathophysiological disturbances of that disease
- as a secondary consequence of sleep disturbances caused by other symptoms such as pain, nausea etc., or
- as the primary presenting complaint (e.g. chronic fatigue syndrome).

Therapeutic side-effect.

Fatigue is a commonly listed side-effect of prescription or over-the-counter pharmacological drugs, or may occur as the result of other therapeutic interventions (e.g. surgical procedure).

Heavy stressful physical or mental exertion.

Fatigue occurs as the result of:

- extended hours of work with heavy muscular activity (e.g. lumberjack, or marathon runner),
- continued stress or danger (e.g. combat

fatigue) or

 intense mental exertion (student taking examinations).

These occur either during the task or as a rebound effect after the task, in proportion to the relative fitness (and/or prior training) of the individual.

Stimulant drug usage.

Fatigue often occurs as a person rebounds after the initial euphoria or "high" induced by illegal pharmacological substances or prescription stimulants.

Unlike the engineering use of the word "fatigue" which is used to describe irreversible failure of a material as a result of stresses over an extended period of time, the medical definition of "fatigue" usually refers to a loss of physiological and psychological function. This can result from extended wakefulness due to heavy work, excessive stimulation, illness or stress. This can usually be reversed in whole or in part

by rest, sleep, treatment or recovery from the condition that caused it.

One way fatigue can be precisely defined and measured is in terms of its most common and easily measurable symptom – "excessive sleepiness".

This definition of fatigue in terms of "excessive sleepiness" is particularly useful. It has become widely accepted in:

- medical diagnosis
- regulatory agency approval of prescription drugs
- public policy and work-rest hours regulation
- criminal laws

Thus fatigue and its major symptom excessive sleepiness, are well recognized in law and regulation as a significant bodily impairment, malfunction and source of ill-health and of

1. Moore-Ede, M. The Twenty-Four Hour Society: Understanding Human Limitations in World that Never Stops, Addison-Wesley, Reading MA 1993

2. International Classification of Sleep Disorders, 2nd Edition, American Academy of Sleep Disorders, 2005.

Source: The Definition of Fatigue

accident and injury risk.

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AROUND THE GLOBE

Great Britain

The burden of occupational cancer in Great Britain

A project designed by the Health and Safety Executive details the burden of cancer due to occupational exposures specific to Great Britain. The wide range of occupational exposures and industrial areas where exposures to a multiplicity of agents occurred in the past, and continue to occur, have been highlighted.

Occupational carcinogens were estimated to be responsible for 5.3% of deaths attributed to cancer.

Lung cancer contributes the largest number of attributable deaths for both men and women followed by, for men – mesothelioma and bladder, oesophageal and stomach cancer, and for women – breast cancer, mesothelioma and bladder and oesophageal cancer.

The study highlighted the fact that many workers may potentially be exposed to several carcinogens and that these may affect multiple cancer sites. It identifies key carcinogens and industry sectors posing varying challenges for risk reduction strategies. These include asbestos, diesel engine exhaust, environmental tobacco smoke, radon, silica, solar radiation and shift work.

Source: HSE

Canada

A British Columbia study of health care workers has found that they are at a high risk of falls, second only to those in the construction industry.

Every year WorkSafe BC accepts more than 1,000 lost time claims for health care workers who have fallen or are injured at work.

According to the study, those who worked in long-term care were at greatest risk of falling at work. However, community care workers had more serious falls; and those in facility support services (such as cleaners, cooks and dishwashers) were especially vulnerable to falls.

Main causes included slippery and uneven floors, workplace layout, limited workspace and inadequate lighting.

Source: WorkSafe BC Magazine, May/June 2011

Psychological health and safety standard for Canadian workplace

Canadian employers will have increased support for improving the psychological health and safety of their employees with the introduction of a new Canada-wide standard.

The economic burden of mental disorders in Canada has been estimated by the Mental Health Commission of Canada at \$51 billion per year, with almost \$20 billion of that coming from workplace losses.

Louise Bradley, the Commission CEO, says that the requirements for an employee's physical health and safety in the workplace are a long-standing concern for employers and it is now time to consider the mental well being of the workforce in the same way.

Once completed the voluntary National Standard of Canada for Psychological Health and Safety in the Workplace will provide organisations with the tools to achieve measurable improvement in psychological health and safety for Canadian employees.

Source: Workplace Mental Health June 2011

Belgium

A study by the Confederation of Christian Unions on work accidents in Belgium has found that although there has been a steady decline in the number and frequency of work accidents the number of serious injuries resulting in permanent disability is going up.

In 2008 there were 9.3 serious or fatal accidents per 1,000 workers compared with seven per 1,000 workers in 1980.

The study claims to show that health and safety inspections in Belgium are at crisis point with the number of inspections declining over the past 20 years. On average, each inspector has to monitor 2,000 firms totalling over 30,000 workers.

Source: HESA May 2011

China

Crack-down on falsifying facts

Local governments in China have been issued with a circular by the Ministry of Supervision demanding that they crack down on activities such as falsifying facts or concealing the occurrence of industrial accidents.

The circular notes that certain enterprises have neglected laws and regulations for the sake of profits. Some companies have intentionally hidden or falsified facts about accidents in an attempt to avoid being held responsible and punished by law.

Local governments are accused of failure to supervise government staff and have been involved in falsification or concealment.

The circular is a reminder that individuals found guilty or corrupt in dealing with industrial accidents will be severely punished.

Source: People's Daily Online June 2011

Chlorine gas leak hospitalises students

Chlorine gas leaking from a chemical plant in south-west China, due to an equipment failure, has resulted in 106 students and other children living nearby seeking medication. Twenty-seven serious cases were being treated at three local hospitals.

The plant has been closed and the local authority was monitoring the air quality.

Source: People's Daily Online June 2011

USA

Protecting employees' eyes

The National Institute for Occupational Safety and Health (NIOSH) reports that 2,000 Americans suffer from an occupational eye injury every day, but 90 per cent of these injuries can be avoided simply by wearing the correct safety eye wear.

Source: OHS online, Jun 2011

American economy depends on health workforce

In the USA NIOSH has announced that its Work Life Program is being transformed and re-named Total Worker Health to address a wider range of factors that influence workers' total health.

The announcement states that the health risks and challenges of today's workers have never been starker.

It says that the American workforce is rapidly ageing and is increasingly burdened by epidemic levels of obesity, diabetes, heart disease, depression, arthritis and other musculoskeletal conditions. Middle-aged and young workers are facing earlier onset of chronic health conditions, such as obesity and diabetes.

NIOSH says that "the promise of a strong American economy depends upon an able, productive workforce".

Source: OHS online, June 2011

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All training providers listed provide the General Safety Induction program.

C denotes the Work Safely in the Construction Industry program.
 O denotes the OHS for Supervisors and Managers program.
 S denotes the Extended Working Hours program.
 R denotes Conduct Local Risk Control program
 U denotes the Underground program.

