



# What's News?

Occupational Health & Safety

25 March 2010

## Latest News

- Linfox prosecuted over worker injury
- Crisis looms for workplace safety laws
- Hand caught in meat shredder, \$75,000 fine
- WorkCover ACT issues hazard alert on operating concrete pump hoses

## Latest News

### Linfox prosecuted over worker injury

18 March 2010

Major transport company Linfox Australia Pty Ltd was convicted and fined \$170,000 on Tuesday, after a driver suffered serious and preventable injuries when an adjustable mezzanine floor in a truck's trailer collapsed on him in 2006. WorkSafe Victoria prosecuted Linfox Australia Pty Ltd under the Occupational Health and Safety Act 2004 – despite the company leaving the Victorian workers compensation scheme after the incident took place. [More...](#)

### Mining safety guide outlines changes to national legislation

19 March 2010

This year's Mining Industry Guide to Workplace Safety will focus on helping employers and employees prepare for the imminent national occupational health and safety legislation. The National Mine Safety Framework (NMSF) is an initiative of the Ministerial Council on Mineral and Petroleum Resources, which has been developing mining regulations for the national regime. [More...](#)

### Crisis looms for workplace safety laws

12 March 2010

The enforcement of workplace safety law in NSW faces a potential crisis next month when a test case will determine if the state's WorkCover authority will need to abandon or re-plead hundreds of flawed prosecutions. Leading industrial lawyers say the decision in the test case, known as Nathan Hamilton v John Holland, could have a wide impact because the errors in the Kirk prosecution were common practice at WorkCover. [More...](#)

### Three machine safety failures result in fines for employers

12 March 2010

Three employers have been fined a total of more than \$50,000 by the Industrial Court of SA for machinery incidents which caused hand and arm injuries. All three parties had earlier pleaded guilty to breaches of the Occupational Health Safety and Welfare Act 1986, in failing to provide safe systems of work, failing to provide plant in a safe condition, and in one case failing to provide adequate instruction and training. [More...](#)

### Hand caught in meat shredder, \$75,000 fine

10 March 2010

A meat manufacturer and its director were convicted and fined after a worker's hand was caught in a meat shredder in 2008. The Broadmeadows Magistrates' Court convicted and fined the director \$25,000 for his failure to arrange for the shredder to be guarded. The company was fined \$50,000 for two charges under the Occupational Health and Safety Act 2004. [More...](#)

### Elevated platform rollover results in \$10,000 fine

10 March 2010

The owner of an elevated platform was fined \$10,000 after a fruit picker at an Amamoor farm was injured in a rollover incident. He was found guilty in the Gympie Industrial Magistrates Court of breaching section 28 (1) of the Workplace Health and Safety Act 1995, having failed to ensure workplace safety. [More...](#)

### Poor safety to blame for staff turnover

10 March 2010

Companies lose about 10 per cent of their staff as a result of poor safety, costing billions in lost production and flow-on effects, a leading academic says. Professor Hudson, who specialises in safety for the health, oil, gas, construction and mining industries later told AAP the figure could mean billions of dollars for large miners. [More...](#)

### WorkCover ACT issues hazard alert on operating concrete pump hoses

16 March 2010

The ACT Office of Regulatory Services WorkCover has issued a hazard alert on operating concrete pump hoses. According to WorkCover ACT, it was notified of a fatality in Victoria where a worker died after being struck on the head by a concrete pump hose. [More...](#)



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### **The end of revolutionary justice: Kirk v Industrial Court of New South Wales [2010] HCA 1 3 February 2010**

11 March 2010

In its first decision of 2010, the High Court has handed down a very important judgement concerning the conduct of occupational health and safety prosecutions in New South Wales. The High Court has rebuked both the WorkCover Authority and the Industrial Court of New South Wales not only in the way this case was dealt with, but also in the way others have been handled for many years. The High Court ruled that the current NSW system is basically out of order, that the Industrial Commission has made decisions outside its jurisdiction and one of the details of that case has been ruled to be unconstitutional. [More...](#)

### **Injured to lose**

12 March 2010

There is now enormous uncertainty over all prosecutions that have been launched by the NSW WorkCover authority for those that have adopted the same flawed procedures that were recently struck down by the High Court are in jeopardy. But the biggest abuse is that the inept procedures of WorkCover are now likely to work to the benefit of those rogue employers who truly deserve to be prosecuted. The conviction rate in NSW for workplace safety cases is 98.4 per cent. [More...](#)

### [Publications/ Conferences](#)

#### **Preventing and responding to bullying at work**

10 March 2010

Worksafe Victoria is holding free training sessions on preventing and responding to bullying at work, with research showing 14% of Victorian workers have experienced bullying. [More...](#)

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