

## OHS BRIEFS

### Don't stand for noise

WorkCover NSW will promote noise management on construction sites over the next year as part of a plan to cut hearing loss among building workers.

Some of the State's biggest developers have signed on to the Noise Management on Construction Sites plan, which has the backing of the CFMEU and NSW Labor Government. Under the plan, WorkCover will visit sites and assess noise management strategies as well as hold educational seminars. Exposure to excessive noise can lead to lowered performance by workers and contribute to industrial accidents. For workers, excessive noise can lead to hearing loss and can result in a lack of social interaction.

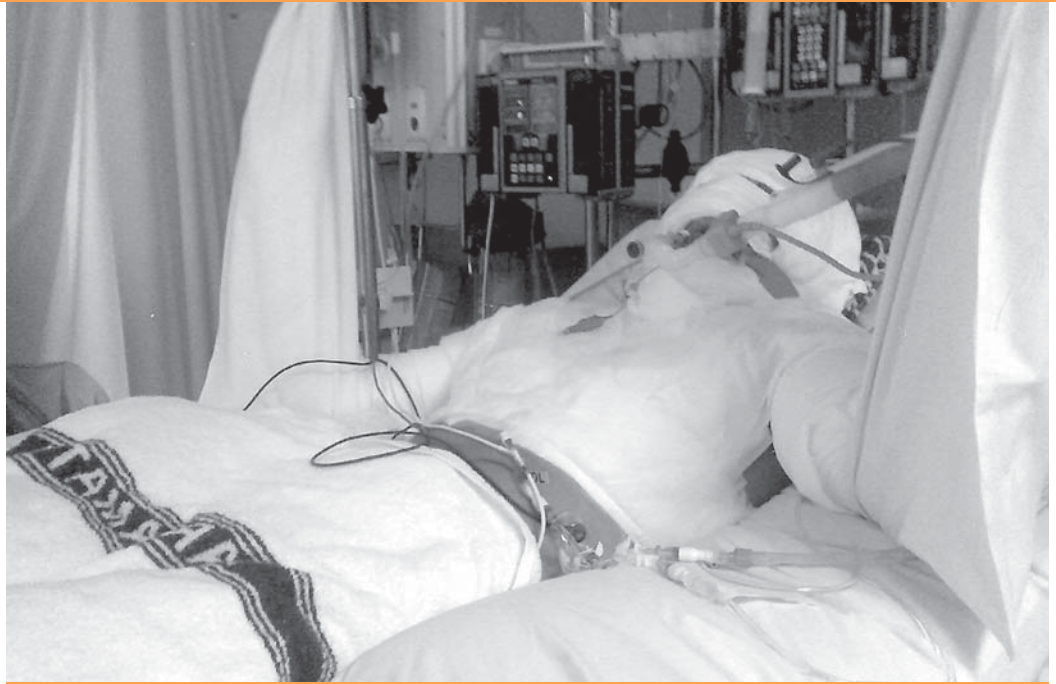
If you have any queries contact Dick Whitehead on 9749 0400.

### Crane warning

Owners of Favco 350 tower cranes have been warned not to lift personnel workboxes after an accident on the Gold Coast saw the hoist function of the crane go into freefall while two men were being lifted. The box dropped four floors before the brake came into operation and the two men received broken ankles and a broken heel. Metal contamination in the hoist relief valve block may have caused the accident and strategies to fix the problem are being developed.

### Unfair laws hit safety

A lack of unfair dismissal protection for workers in companies employing less than 11 people is taking its toll on OH&S, an academic has found. University of NSW Professor Michael Quinlan said he knew of a factory where the boss sacked the workforce for being trouble-makers. They were replaced by inexperienced workers and despite working with dangerous substances there was inadequate protective clothing. Workers were covered with toxic substances, and the showers were inoperable.



### MIRACULOUS SURVIVAL

WorkCover is investigating an accident which left labourer, Christian Nasr, 23, in the burns unit at Concord Hospital, after he was told to cut through an 11,000-volt cable, that was not checked to see if it was live

# Howard attacks safety

**John Howard** has found another way in which to turn work sites into death sites. Companies now have the right to self-insure under Comcare, the body that runs the Commonwealth workers' compensation scheme and workplace safety laws. This is a major blow to workers that has the potential to impact on site safety and put lives at risk.

In December three John Holland companies were granted the right to self-insure. And under Howard's changes, from March 15 companies that have joined Comcare will be exempt from NSW OH&S laws.

According to CFMEU Safety Co-ordinator Dick Whitehead, union officials and possibly WorkCover investigators will lose their right of entry under these changes.

"It's a nuclear weapon aimed at stopping our right of entry. We won't be able to access sites in cases of fatalities or unsafe practices," Whitehead said.

Whitehead said unsafe work places would become the norm as Comcare has only 33 inspectors nationwide, while WorkCover has 287 in NSW alone.

CFMEU senior legal officer Rita Mallia said the Commonwealth OH&S laws, which originally covered public servants, were "grossly deficient" compared with the NSW legislation which has a section dealing specifically with the construction industry.

Comcare payouts are also significantly less than those under NSW laws. Maximum lump sums for permanent incapacity under NSW legislation are

more than \$100,000 greater than those under the Comcare legislation and the weekly benefit for children double.

Howard also has a Bill before parliament that would strip workers of compensation benefits if they are injured while travelling to and from work, and tighten up the definition of what an injury is.

These changes are just another suck up by Howard to his business mates. But what they mean to workers is that if you have a heart attack at work while doing manual labour you might miss out on compensation. And if you are driving home, exhausted after a 10-hour shift, and have an accident you will get nothing.

"The CFMEU has seen many examples where its members have been seriously hurt, maimed and even killed going to work or coming home from work when fatigued," Mallia said.

"Howard says employers and their insurers should not pay for these claims because they are 'beyond their control'. Such an attitude is despicable."

**If you are employed by John Holland or find yourself working on a John Holland construction site, do not hesitate to contact the union for advice as to your rights and entitlements either under the Occupational Health and Safety legislation or the Commonwealth Workers' Compensation legislation.**

For a full report on the Comcare changes see [www.cfmeu-construction-nsw.com](http://www.cfmeu-construction-nsw.com)

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