

# OCCUPATIONAL HEALTH AND SAFETY ON CONSTRUCTION SITES

BY Curly R.B.Sheldrick

Occupational health and safety is the most important thing in the construction industry today. The education of employees and employers is a daily event. OH&S is the responsibility of every person engaged on a construction site to make sure good work practices are carried out on a day to day basis.

In this essay I will talk about OH&S standards, obligation and the union role with reference to both construction and the painting trade. How legislation by Queensland Government in 1922 to safeguard children against lead in paint benefited the painting trade.

There has been a rise and fall of OH&S standards in the construction industry over the last 40 years. The further away from major cities and towns, the less likely OH&S practices are to be implemented, because an out of sight, out of mind view prevails. We Australians have always resented authority, so anything written that looks official, regardless of whether it's for our own good or it's not, is looked at with suspicion.

Therefore standards suffer on a daily basis e.g. non ticketed persons carry out many tasks illegally. Health standards also suffer e.g. nowhere to wash before eating. In cities and on major projects there is a better policing of all OH&S standards. '

The Construction Forestry Mining Energy Union has played the biggest part in implementing OH&S in the construction industries up to date and continues to police with a firm hand. The CFMEU has over the years continued to lobby government both at a state and national level, with the support of its members, to have, where needed, an update of OH&S on the construction sites.

On 29 May 1900 the colonial secretary, after much pressure from the Labourers Union, agreed to inspectors on building sites. The ***Scaffolding and Lifts Act 19211960***, probably the most extensive code operating in any state of the Commonwealth, imposed a complex set of obligations upon the employer. This Act was amended in 1942, 1948 and 1958, but even today unticketed workers, under the supervision of their employers, erect scaffolding which in turn killed workers in 2002.

The painting trade has had its own hurdles to clear. The struggle against lead in paints started in 1890 by two doctors, Jeffries Turner and Lockhart Gibson, who first diagnosed lead poisoning among children. This struggle has been pursued by unions to the present day.

In 1920 an average of 29 painters a year died in Australia as a result of lead poisoning. The Queensland Government in 1922 introduced legislation which partially prohibited the use of lead paint. An exterior portion of a building which was accessible to children under 14 years of age could not be painted with a soluble lead content of more than 5%. This partial restriction was to protect children – but lead in paint also had a widespread effect on incidence of lead poison in the painting trade. The union and the Health Department together made contractors realise that the law must be obeyed.

**The National Occupational Health and Safety Commission (NOHSC) released figures at the end of 1999 showing that averages of 444 Australian workers were fatally injured each year, and another 2300 died as a direct result of exposure to hazardous substances at work. When the figures for permanent disability and temporary serious injuries are added, the figure rises to an horrific 134,000.**

The cost to the economy exceeds \$20 billion per annum. This is greater than the total revenue generated by mining exports. This figure of course does not take into account the trauma and personal suffering of the victims and their families. See <http://www.cfmeu-construction-nsw.com/wallremembrance.htm>

When I hear some people say we don't need unions it makes my blood boil! I personally over the last forty years have witnessed what some companies will do, just to save a dollar. From 1963 to 2003 I have watched the bullshit tactics of cutting corners - as a result workmates die. The figures released by the (NOHSC) in 1999 don't lie. OH&S today and for the future must be policed by unions, workers, and governments both state and national, to make sure that workers and their families are protected.

# INTERVIEW OF JACK FROST, 40 YEARS OF WORK

## BY CURLY R.B.SHELDRIK

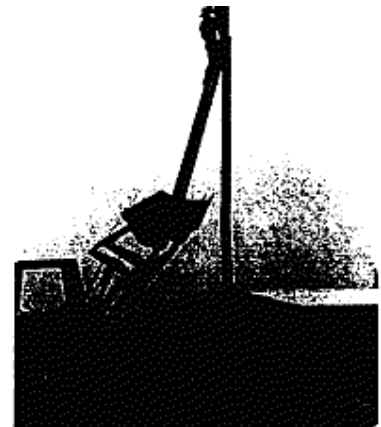
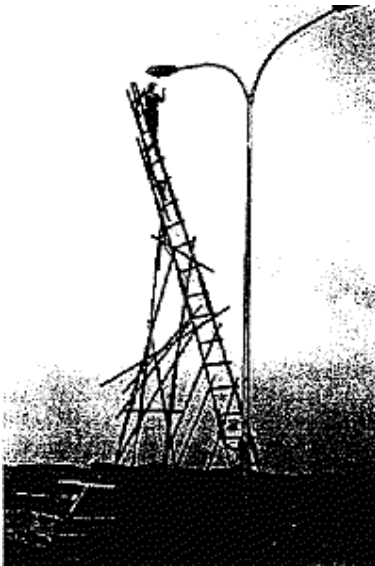
<b>Jack, can you tell me about your experiences in the construction industries!. This is Jack's reply:</b>	Well, I hope you've got a comfortable seat because I am going to talk out of a period from 1963 -2003, forty years in the workforce.
<b>What was your first job Jack?</b>	ATV first job was a labouring job, pick and shovel stuff. I had broad shoulders and no education so I qualified for this type of work. The next job was at a sawmill on the east coast. I saw the old timber jinkers roll up. day with about three or sometimes five giant tree from the local forest to wait their turn to be cut up by the circular saws into 4x2, 3X2 and so on.
<b>Jack what sort of working conditions like?</b>	Working conditions what working condition the only reason we had a roof over the saw was to protect the saw not the men who worked there.
<b>Jack what about eating facilities</b>	That 's a joke if the sun was out you sat in the sun on a log or you learnt how to squat you know the way,, the old fellows did, besides you only got 10 minutes for smoko and 30 minutes for lunch.
<b>Jack where did you have your meal breaks when it rained?</b>	Ah, we just used to crowd around the circular* saw or get wet. I'
<b>Jack what about drinking water</b>	Your drinking water that was in a canvas bag that hung from a rafter or a tree, the water wasn't that bad to drink.
<b>Jack how long did you work in the timber industry.</b>	All up about six months I left the first mill after about six months because I had lined up a job at another mill down the track that I used to walk past every day.
<b>Jack what were the conditions like there?</b>	Look get this straight, there was no conditions we were too far from the big smoke so no unions would make the trip up on the train into Hicksville.
<b>Jack how long did you stay at the second mill</b>	I stay till smoko the first day.
<b>Jack why was that?</b>	Well, the boss told me I only be getting five pounds 10 a week for the first six weeks till he could see if I was any good. Five pounds 10 instead of 10 pounds 10 was bullshit, I told him I'd just finished working up the track at the other mill for six months and that I knew what to do! He said that didn't count so I told him to shove his job and left.
<b>Jack what did you do next?</b>	Well there was plenty of work around in the sixties one year on my tax return I had to add on a A4 piece of paper just to get the rest of my jobs on for that tax year period. You know lad before I was 15 years old I had hitchhiked all Australia except Tassie, I either just missed the boat or did not have the money. I did my first trip around by myself, the two other times with a mate you know just hitched and working a lot of cash in hand those days hey. Some of the jobs good some bullshit then it didn't matter as long as the pay packet was there every Friday, cash you got to hold the money in your hand in them days, not like now Wednesday all you get is a piece of paper doesn't seem real any more eh?
<b>What did you call a good job Jack?</b>	Well, my mate and I got a job in south OZ shelling abalone in the Great Australian Bight for a while I liked that job.
<b>What happened to that job Jack?</b>	Well its like this we used to go out 10 miles in a 14 ' foot aluminium boat anchored over a reef the diver over the side the compressor going for the divers air and the boats just rocking back and forth on the anchor rope we are pulling up baskets of abalone shelling out the abbs throwing the waste over the side, me fishing and my poor mate spewing over the side. I will have to tell you I always caught the best fish after me mate had chucked up. After three weeks of this my poor mate used to get sick just walking down the jetty so in all fairness to my mate we left and continued our trip around Oz. I really missed the fishing.
<b>Jack so what are you smiling about?</b>	I just had a thought about hard hats.
<b>What was that Jack?</b>	Well I think it was 1964 or 1965 in my area the warring of hard hats become compulsory, so, well, the thing was blokes used to wear them in the local boozier, all these blokes at the bar with schooner in their hands talking with hard hats on bobbing up and down and side to side to the conversation. It always used to make me smile.
<b>So Jack you survived the sixties in one piece then?</b>	Yer, just a few cuts and bruises although a lot of good men died for bullshit things that should not have happened.
<b>What about the 70s Jack?</b>	Well I'd just got out of Nachos got married for the first time so I took a council job for seven years and had five nippers, got DLI tickets for backhoe loaders and excavators still got them now. The council job didn't pay much so I got two other jobs to make ends meet. Pull petrol Saturday and Sundays, washed dishes in a local restaurant six nights a week the only reason I didn't work the seventh was because the restaurant was closed. My first marriage broke down after seven years, working three jobs didn't help much, but you get that on the big jobs!

<b>Sorry to hear that Jack.</b>	Nah, that's life I started work on the biggest project going up in mountains from my town a dam a big dam about \$32 million which was a lot in those days I meet a union bloke a Scottish bloke who showed me just what the union meant. I started that job as a labourer, then after a couple of weeks the foreman gave me a job as a chippy. Two months later I was a leading hand carpenter, not bad for a bloke that couldn't even spell carpenter.
<b>What were the conditions like on the dam job Jack?</b>	I thought they were just great but after listening to some of the other blokes, a carpenter that is I realised they should have been better, but that Scottish union bloke got things on track, more money and the best conditions I had seen up to date.
<b>How long did you stay there Jack?</b>	Oh, our part of the contract was the toe slab; I was only there six months when the contract finished.
<b>Where you work next Jack?</b>	Well a new power station had just started so Up I go to the site office fill out an application as a carpenter, which I'd, learnt how to spell. They ask me when can I start how about now I've got my tools they say all right so I am the first carpenter to start with the company. I worked there for a year and half.
<b>What were the conditions like there Jack?</b>	I tell ya a lot of blokes died on that job in the 1 1/2 years I was there don't quote me but over ten blokes died in 1 1/2 I was there. I had a near miss myself when a sand bank collapsed burying me and a couple other blokes because it was not shored up. That incident was never reported by the way, I tell you. Some things on that power station we did I mean union and the Workers after a lot of strikes gained a lot of better safer Working conditions including the 38 hour week got passed. Things were on the up and tip
<b>You were lucky Jack, where to next?</b>	I tell you, I followed Blaxland Lawson and Wentworth and went over the Blue Mountains and worked in the west for, seven years.
<b>What were the working conditions like out west?</b>	Look, one thing you've got to understand the Blue Mountains have stop progress and still are today.
<b>What you mean Jack?</b>	Well here is an example for you, about thirty other blokes and me are working on a TAFE college in this town which has had city status since 1946 eating our smoko with snow flakes landing on our shoulders while we have a quick cuppa.
<b>What year is this Jack?</b>	Um about 1981 - 1982. See nowhere warm to sit and one tin can for thirty blokes to use as a toilet. Yet just over the hill 30Okms away in the big smoke they had all the best conditions of the time.
<b>Did things change Jack? What happened about the snow and the lack of conditions?</b>	Well someone called up the union so over the blue hills comes the union in. the form of a little Italian looking bloke who after a walk around the job site cutting untagged extension leads so they could not be called a meet of all workers on the site which had grown to over 50. The little union bloke was a tough as nails and absolutely amazed at what he saw on the site. He started to tell us about our rights and what we should get, then he asked us if we had any question, some one said its a bit hard for blokes to ask questions when the boss was standing beside them. This union bloke asked who the boss was and why was he in a workers meeting. His country bumpkin said to the union bloke that he in fact drew a wage form his own company so he had the right to be at the meeting. The union bloke told the country bumpkin he was in breach of some Act and he had to leave, but the boss said no he was only wage earner and would not leave. The little union bloke keeps his cool and asked him politely to leave, but this boss bloke said no. The next thing I heard was like music to my ears. Out the gate for 48 and your company will be paying the bill. Two days later with no boss present we told all to this little union bloke that grew 10 feet tall right before our eyes. Every thing we were supposed to get we got even our blueys for working in the snow. Iple all felt like first class citizens once more.
<b>What happened next Jack where did you go?</b>	Well I worked a couple more jobs out in the back blocks wheat silos another little darn, that dam job was a cowboy affair but the job was only 8 months or so. I started work be-fore Christmas one year the next year found me and others sitting in the snow or half in a sea container eating smoko.
<b>You are telling that after the union sorted the other Job out that you were back out in the snow?</b>	^Yes that bow it went down, the worst thing was we were only 35ks from the last job and we had lost everything we fought for.
<b>Why didn't you call the union Jack?</b>	Well you see things were pretty tough in them days all the work had dried up, you know, kids to feed, mortgage to pay <b>so you just copped it on the chin.</b>
<b>OK what happened next?</b>	Well I had a brother over in wait -a- while country you know Western Australia - he said its the land of milk and honey, so I sold the house on five acres at a loss and like they say in the cowboys "go west young man go west" - so off we went, left the snow behind, and drove across Oz to a land where the sun goes to bed in the sea.
<b>How'd things work out in WA Jack?</b>	Well the weather was a lot warmer over there that's for sure. When I first arrived in Perth, nice little town atmosphere for a city. I fronted Up to Perth city railway station there was a big project going on a complete revamp of the whole place. I went over to the foreman and introduce myself to him, told him I was a chippie looking for work, he gave a big friendly smile and said, I'll grab you an application for you to fill in. I filled in all the paper work, he looked it over and said "Would you like to start tomorrow?" I could not believe my luck - only two days in WA and I

	had a start on a job that was going to last a year.
<b>How'd things work out in WA Jack?</b>	Well the weather was a lot warmer over there that's for sure. When I first arrived in Perth, nice little town atmosphere for a city. I fronted Up to Perth city railway station there was a big project going on a complete revamp of the whole place. I went over to the foreman and introduce myself to him, told him I was a chippie looking for work; he gave a big friendly smile and said, I'll grab you an application for you to fill in. I filled in all the paper work, lie looked it over and said would you like to start tomorrow. I could not believe my luck only two days in W.4 and I had a start on a job that was going to last a year.
<b>You must have been thinking you had made the right move going to WA Jack!</b>	Sure did, the next morning I turned Up an hour early for work. The place was already opened Up there was a Betty cleaning up the smoko sheds, I told him I was starting that morning, we introduced ourselves. He said that smoko hut is clean go and make yourself a cuppa so I did. It was getting close to starting time so I went over to the foreman's but and went in. when I walked in*you could have cut the atmosphere with a knife, no smiles. The foreman looked me straight in the eye and said sorry we don't need any more carpenters, I was dumbfounded. I couldn't think. After a lengthy silence I said what's changed since yesterday, the foreman said sorry we just don't need any carpenters, my mistake. I knew something was amiss so I rang up a mate in good old NSIV and told him what happened he said he had the same thing happen to him because we were on a black list because we worked on the TAFE job. I asked him what you mean. He said because we had made a stand for our rights, things that were already in our Award we had been branded union agitators so don't use the TAFE job or more to the point the company we worked for as a reference.
<b>So what happened next Jack?</b>	I found the union office and fronted up, told them what happened. After a few phone calls and couple cups of coffee the union legal people talked things over with me.
<b>What happened next Jack?</b>	A few days later we went into this Court building for an informal hearing, me and the union, plus the company that had said yes then no about the job. We all were told this was an informal hearing so the unions laid their cards on the table. The company said it was a simple mistake on the foreman's part and no black list existed, that was that.
<b>How; did you feel about the outcome in the court room Jack?</b>	Well it's like this I knew in my heart the black list existed but couldn't prove it so no good flogging a dead horse is there?
<b>So what happened next Jack?</b>	I worked a couple of high rise jobs in the capital city before going bush, that's a big play on words there is no bush like the east coast its more like scrub and red desert sands.
<b>What sort of working conditions in the bush like Jack?</b>	Well it's like this: Australia is a big country and WA is the biggest state of all. I've worked from the old whaling town in the south to the top town in the north. You got to remember our country was changing, more to the point we were following the rest of the world down the poo tube, so work once again was drying up. It's hard for a man to make a stand for better working conditions for himself when he has got a family to feed.
<b>Jack did you ever find yourself out of work?</b>	Yes plenty of times. You remember the recession we had to have, well there was nothing happening in the building, so one day I rang up about a job in a remote aboriginal community in the Kimberley's and got the job.
<b>Were they building houses up there Jack?</b>	No, I got a job as the market gardener - they had 40 hectares under cultivation. I could not believe my eyes - it was huge.
<b>Had you had any experience in gardening Jack?</b>	Yes, I picked a few beans and tomatoes when I was younger.
<b>What was it like on an aboriginal community Jack?</b>	It was great - the nearest town was two hundred clicks north and the community was right on the coast - the best fishing' ever. I missed my mate - had to make my own burly.
<b>Jack I meant what about the aboriginal people?</b>	The Aborigines were the best once they got to know you, you know they are quite mod really, up there. Including the teacher and one priest there was 20 Europeans and six hundred locals.
<b>How long did you stay in the community Jack?</b>	For just over a year, I would have stayed a lot longer but my wife I had then said she had enough so we packed up said good bye went back down to our house in the south.
<b>Do you have any contact with people from the community after you left?</b>	Sure did a few of that came down for holidays for the next few years, I still talk to them on the phone now and then. I still miss that place it was very peaceful you know.
<b>Where did you work next Jack?</b>	Well I did a lot of mine work after that, as a chippy, plant operator, concreter, jack-of-all-trades and master of none. But in 1998 I sat for and passed my exams and got my trade certificate as a carpenter & joiner.
<b>Did you work underground Jack?</b>	Yep sure did, my job covered above and below the ground.
<b>What about the condition work condition like Jack?</b>	Let me tell you some things, most places when the temp gets to 37 degrees or 38 degrees you go home right? Well in the bush jobs, really in the desert ,for a start home is usually thousands of km away - so when it gets hot you just work.
<b>How hot Jack?</b>	I was on a job in the goldfields once and the temp was 63 degrees C for three days.
<b>How you work in that sort of</b>	You just had to make sure you drank a lot of water.

<b>temperature Jack?</b>	
<b>Did you have to wear protective clothing Jack?</b>	Yeah but no one enforces it. One time I am on new mine site, iron ore, we were building the thing. When we went there it still was a virgin ground kangaroo the big red one jumping all over the place. Anyway it was a good day strip down to me shorts, boxing up some pedestals looked Up to see a drilling rig move into position and start drilling about 200 metres away from where we were working.
<b>That would have been a bit noisy Jack?</b>	Noise wasn't too bad, but seeing the drill operators walking around in white space suits made us wonder. After a couple days some one who looked important stop to see how we were going so we asked him what was the space suits all about. He said that's nothing to worry about. Some one said if that's the case what's with the space suits. This official looking bloke started to get a bit agitated and said, there is some kind of fibre Up there but its no asbestos so don't worry about it.
<b>What happened next Jack?</b>	Well pushed for a meeting and at the meeting all us blokes got our names put on a register so if anything happened in the next 30 years to us we could make a claim. Bull shit eh, its little like shutting the gate after the horse has bolted isn't it.
<b>What about inductions, did you do many Jack?</b>	Look I done more inductions than I had Christmas diners and birthdays added together. The thing about induction is they teach you about all the nasties in one breath and what no to do, but when you're on the job they tell you it really won't hurt you so just do the job and don't worry, she be right mate.
<b>After working for forty years what do you think about the union Jack?</b>	If we didn't have the unions we would still be working a 40hr week. I believe in solidarity: 'a house divided can not stand' - Abe Lincoln.
<b>What you think about politics Jack?</b>	Well I have always been left wing, but left is nearly right these days so I vote with my heart. I vote Green.
<b>What's it like working underground Jack?</b>	Well the temp was about 37 degrees C and 89% humidity. You were wet for twelve hours shift. Twelve hours that's a long shift Jack. When I first started working underground in the early 1990s the shifts were only 8-10 hour's max, and no work on Sundays. Sundays were for maintenance only. But then everyone started to worry about shareholders and nothing else. Less men on a shift - longer shifts - 12 hours. On a mine there are only two shifts 6am to 6pm, 6pm to 6am - 365 days a year
<b>What about Christmas or public holidays Jack?</b>	No such thing in mineral mining - gold and nickel.
<b>How long did you work in the mines Jack?</b>	On and off for nearly seven years. In 2000 I flew from the east coast back to WA and did six months, six weeks on and one week off, that's 42 days straight at 12 hours a day and one week off.
<b>That seems pretty hectic Jack</b>	You get used to the hours, but the pace – it was push push - all the time - that's what caused my mates death. They had every one that wound up, blokes started to make mistakes.
<b>What happened to your mate?</b>	He used to drive a bogger - that's low slung loader that works under ground. On this day he had to give a message to someone else - he jumped off the bogger (without grounding his front bucket) ran over to a bloke in a ute & started talking - but his bogger rolled forward and jammed him between the Ute and bogger - killing him straight out. I know he should have grounded his front bucket - but they got everyone running around like a blue arsed fly, stress.
<b>Sorry to hear about your mate Jack! What did you do after that?</b>	I landed a job on an upgrade of the Pacific Highway near home working on bridges for two years.
<b>What were the conditions like there Jack?</b>	Get this, I spent 3/4 of a day in a site induction being told of my rights, 10 mins out of the induction and I am jumping down 1,112 metres into a footing excavation - no ladders on the job. So I go and ask the foreman if there is a ladder anywhere on the job - he said no, I said we need one, he says to me, if you don't like it here, pointing to the gate, you can leave. This company that wins a lot of government jobs because an ex state premier is on the board of directors was more worried about oil spills or more to the point the large fines than the well being of the workers. They had a company safety officer, who got a speeding ticket doing 100ks in a work zone by the police. He lost his licence for a few, months. Some one drew up a cartoon on paper and had it printed -about 100 or so - it was a sketch of a bloke driving a racing car flat out and the chequered flag coming down, with the words 'safety first' just kick up the arse for the safety officer's credibility eh. This safe safety officer made me and others wear safety harnesses the full harnesses hooked to a static line on a bridge two metres off the ground.
<b>Yes but that a safety regulation isn't it Jack?</b>	That's right but the lead that went from our harness to the static line was three metres long.
<b>What you trying to say Jack?</b>	Have you ever walked around on beams on a bridge deck? Look there is so many hazards you can trip if don't watch every step - I mean every step. We were fixed to a static line dragging a

	lead from our harness to the static line - made things more dangerous. If we did fall you would have been on the ground and the safety lead still had a metre left before it took up the slack..
<b>So why did you wear them Jack?</b>	Well if we didn't wear this safety harness that would not have saved from hitting the ground we would have got the sack. Bull shit eh.
<b>They didn't sound like a good company to be with Jack?</b>	I think that's putting it rather mildly, they had a bonus system for foremen and, above that, they got a bigger bonus if they didn't buy things like smoko huts, toilets and safety equipment. Get this - the job was 38ks long and there was only 5 lots of smoko sheds - two of these were old rat infested houses you had to sweep the rat droppings off the tables - so it was just as easy to eat outside. I worked on job big jobs where they gave little presents for LTI, on lost time injuries, like leathermans, pens and London Fog Jackets and so on.
<b>That seems like a good deal Jack.</b>	Yeah but it was all bullshit because I saw on two occasions blokes carried out on stretchers or they made blokes go home before their breaks were due so it looked good on paper!
<b>What did you do next Jack?</b>	Well I started work on high rise just over the border in banana benders' turf. Guess what the year is 2002 and they are still drop stripping bull shit eh.
<b>So what are you doing now Jack?</b>	Well at 54 I am a full time student doing my year 10 - after that - the sky's the limit. Well after 40 years of watching the rise and fall of OH&S and thousands of good men and women killed or maimed or stressed out on workers comp - its time for a change.
<b>Why do you think education can help Jack?</b>	Well mate its like this we can't change the past but with education we can make a dent in the future.
<b>Tell me Jack in all that forty years working in these industries what kept you going back every day to work?</b>	Well the money helped but that wasn't it. Its like this mate - the men and women I worked with were the best - they were my sort of people. Some days you just went to work because you did not want to let your mates down, you know, leave them short handed.



[www.cfmeu.asn.au](http://www.cfmeu.asn.au) construction forestry mining energy union Notes from CFMEU unpublished historical research notes

*The struggle against lead poison in the Painting Trade - E.J.Hanson*

To my teachers.

Firstly Jean; thank you for teaching me about appendices and telling me about the interview thing which enabled me to write my essay my way.

To Cheryl and Pete thanks for bearing with me over the months and teaching me heaps about computers. I've still got a long way to go but with your help I'll get there. Many thanks to the CFMEU, who I was proud to be a member of. To Paul True thanks very much for your effort, hope to the lot of you. **Curly.**