

# Working Safe



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**Waterfront carnage continues as another three incidents rock the wharves. A Patrick Brisbane Terminal auto-straddle tips over, a ships crane goes haywire in Darwin and a heavy forklift topples in Brisbane. In further news Patrick are charged in relation to their treatment of a Geelong elected Health and Safety representative.**

Not enough is being done by employers to stem the tide of waterfront accidents. While most employers spend their time arguing against regulation, life itself is demonstrating that the time to regulate for waterfront safety is long overdue.

## What's in a box?

Who knows what's in a box. It could be anything. That's the risk waterside workers take everytime a container is lifted.

This incident at the Brisbane DPW Terminal indicates the dangerous and precarious work that requires a regulatory approach. Workers need certainty and strong laws to ensure that safety is the first and foremost question that arises in all aspects of stevedoring work.

We need strong laws that deliver certainty and quality in training, we need certification and licencing to be upgraded and we need to ensure that self-regulation is not the basis of waterfront safety. How many more incidents do we need before regulation of safety laws is guaranteed on the Australian waterfront.



Luckily the driver was not another fatality as a heavy fork topples over in Brisbane DPW Terminal

In terms of container safety the MUA is engaged with the ILO whereby a meeting will be held with ITF representation to consider international standards around safety in the supply chain in relation to packing of containers. This critical function can lead to some certainty in knowing that boxes are packed in a way that can give comfort to workers who deal with them and the community who are potentially exposed to them.



Ship's crane in Darwin uncontrollably booms up with 40ft hazardous box

## Darwin Crane Failure

Below left is a 40ft hazardous container on the end of a spreader at POAGS Darwin operation. The ships crane uncontrollably boomed up. The only thing preventing the container hitting the crane pedestal was the two high box it was jammed against. Again the ships of shame that are our floating factories are inadequately maintained. We believe that a rigorous regulatory approach to safety should include ship inspections, pre-operational checks and the need for strong inspection and enforcement regimes that will make shonky shipowners think twice before dumping their ships of shame onto our coast for

workers to risk their lives upon. Thankfully no one was hurt in this incident either but it was only luck, again, that prevented a possible double fatality across the Australian waterfront.

## MV MATSUSHIMA

At Patrick Bulk and General in Brisbane the members have been told that it is the Person in Charge (usually the supervisor) that determines whether a vessel is safe to work. This is apparently even if the vessel contravenes the Marine Orders. The following incident report was received on the above vessel:



*"There are no numbers on crane hook No. 1 so boys did not use (the crane)... The crew then decided to get the Gas AXE (OXY) to cut the main bolt out so it has now had heat treatment"*

The labour urged that a surveyor was called in as the hook was appropriately changed over. Without vigilance the potentially faulty equipment would surely have been used.

No standards seem to apply on the waterfront unless they are fought for. The situation is not good enough and is another reason why the MUA is seeking a regulatory outcome regarding safety.

## Patrick Guilty of OHS discrimination

The Melbourne Magistrate Court has found that Patrick Stevedores was guilty of discrimination against a health and safety representative under the Occupational Health and Safety Act 2004 - SECT 76. The court found in favour of Workcover for three of the five charges that Patrick was guilty of an indictable offence for discriminating against an OHS representative for raising safety issues on the job.

A former Patrick employee, MUA Geelong safety representative and key witness during the hearings, was suspended, reprimanded and threatened with the sack for raising safety breaches where workers' lives were at risk.

We note also the Patrick internal memo stating that Patrick are working with the MUA in the Safe

Work Australia Temporary Advisory Group (SWA TAG) that is considering the creation of a nationally recognised regulatory training and safety framework for stevedoring across Australia. The Patrick memo then carries on with a don't blame us mentality stating that the managers responsible for the criminal discrimination against our HSRs are no longer with the company.

We have a two-fold response to this. To state the company is *working* with us is slightly mis-leading. They are *attending* with us but have not given any unequivocal support in any way to the creation and development of stevedoring specific regulation. The memo also states that the company have instituted changes to their safety management systems. While this is true the nature of the changes from what we can see are related to the implementation of behavioural based safety systems (blame the worker safety). (see MUA website)

## Patrick Auto Straddle tips over

See right for a photo of the tipped over straddle. Again a lucky call as our members at times work in close proximity to these automatic machines.



## Don't work unsafely - Don't be stood over

While we continue to fight the battle for waterfront safety on a regulatory and code of practice front the most efficient and effective manner of remaining safe is to organise. We need to ensure that workers have the confidence to be able to stand up to rogue employers and:

## SAY NO TO UNSAFE WORK PRACTICES!

The MUA will stand behind any members who take on a genuine safety issue. We encourage all workers to be prepared to stand up and recognise that the employers on the waterfront need to be forced into a best practice scenario regarding safety.

The MUA continues its work on the SWA TAG group and continues the struggle for a regulatory approach to safety. We are aiming for that regulation to underpin a National Stevedoring Code of Practice. As can be seen we surely need it!