



January 14, 2011

Working Safe

Safety First at all times

Safety Farce Continues

The farce of waterfront safety continues with several incidents over the last couple of weeks. This matter is a priority in the industry and the nature of incidents that have occurred shows the need for our campaigns around safety to be vigorous and unrelenting. Below are some reports of recent events and activity.

Near misses at East Swanson Dock

11 Jan 2011 Safety, first aid procedure and training were again put under the spotlight recently when two Melbourne waterside workers narrowly escaped serious injury or death at East Swanson Dock, Melbourne

Gangs were lashing the Hong Kong flagged **MOL EMINENCE** container vessel on 27th December, midnight shift when one man, Paul Currie, was knocked unconscious by a falling lashing bar and second man, Shane Willet, fell around 1.5 metres down an open hatch trying to clear the deck to get his injured mate off the ship.

"Paul ducked but the lashing bar hit him and knocked him out cold," one worker on the scene reported. "He was wearing a helmet, but it got his shoulder and he hit his head as he was knocked to the deck."

While workmates of the unconscious man were moving containers, trying to clear the way to get him off the ship and the crane was being brought back over head a second worker fell down an open hatch.

"It was pretty dark," one worker reported. "We were lashing the same bay but I didn't see it happen. Everyone was crowding around Paul lying on the deck.

He was really out of it. It was pretty distressing. You just don't know what's happening. And there was no one there with good level first aid experience."

"Everyone was running everywhere," said one worker. "We took out a couple of boxes, Shane walked around the other side of the bay. But one of the crewmen had opened hatch earlier and gone down to unplug reefers. It was dark. He didn't see it was open."

Shane fell down the hatch half landing on his feet and one of the crew.

"It's just lucky it wasn't a 10 metre hatch or he might not be here," said one worker. "Normally if a hatch is open we don't work that bay."

It took a bit of skin of his shin, but Shane managed to get out and down to first aid, where the first aid lady took a look at his leg. She put a couple of band-aids on it and told him to go home. Shane felt a bit faint, so he asked to lie down for a bit before getting in his car.

Meanwhile 15 minutes had gone by and his mate was still out cold on deck.

"There's a guy up there unconscious on bay 21," one worker told security, when the van finally arrived "Where?" they asked. "How do you get on the ship?"

Darwin Crane runs amok

On January 10 & 11 Darwin was witness to potential horrors that await wharfies when we go to work.

An 1100 ton portainer crane blew down East Arm Wharf and made contact with a mobile wharf crane destroying its boom which fell on top of a truck engaged in loading stores for the ship alongside..

Many questions remain to be asked. Where were the company and port authority procedures on securing the 1100 ton crane. This is particularly relevant in Darwin in Monsoon season with 100Kph winds gusting about the wharf. No procedure?

The crane with its own head of steam was only stopped by virtue of the wharfies leaving a huge chain across the tracks and the fact that it came into contact and destroyed the boom of the mobile wharf crane. This is a serious reflection of the slap hazard way in which waterfront OHS is carried out and another example of the very real need for a regulatory approach to waterfront safety.

A serious incident like this needs particular attention paid to it. The potential for serious injury and multiple deaths in this instance was enormous. Luckily the wharfies on the wharf or potentially those down below were at smoko.

Again it becomes clear that there will need to be a regulatory approach to waterfront safety before anyone in management positions take the issue as seriously as it deserves to be taken.

Paul Currie was eventually hospitalized. Shane ended up with his leg getting infected after failing to be provided proper treatment at the time of the accident.

The union is raising a number of concerns over the incident.

Why did it take the security guards trained in first aid 15 minutes to get 500 metres to the scene of the accident?

"It was evident security took too long and that they did not even know how to get onto the ship," said one worker. "Lack of awareness and knowledge of a ship was evident. This giving merit to the on going request made, that all team leaders/foreman be trained or have the opportunity to be trained in First Aid."

"In my 13 years as an employee of Patrick, I HAVE NEVER been involved in a drill, NEVER!" another worker complained. "This is very poor and needs to be addressed. "Following this NEAR FATAL incident, can you believe there are still employees at work that don't even know it happened," he said. "Very poor follow-up on managements behalf. Ignorance is bliss I guess!"

There were also concerns raised over the reporting of the accident and failure to send the second injured worker to hospital for a thorough medical check.

(cont) The union is yet to discover if there has been any consultation on, or any investigation into the incident. How it happened or how to best prevent the incident from happening again.

Also the union is calling for cranes cages to be modified to allow a stretcher to easily enter/exit the cage for swifter and easier extraction. Emergency personnel had great difficulty getting in and out of the cage with the stretcher.

It also wants regular drills be held and practiced with key personal/ships gangs/security and emergency personal to get a better response time.

Personnel working on ships should never left without a crane boomed down over the ship. In this case the crane had to be moved back up the wharf to get the containers

out of the way so the unconscious worker could be lifted out.

Even more serious the safety delegate was not notified of the incident.

"The lack of response from the company to under take tool box talks, to inform and educate HSR's and employees is a real issue," said one worker. "What do we do if it happens again?????"

"It's no joke," said Victorian Branch Secretary Kevin Bracken. "We've had a guy having heart attack put in the back of a taxi to get him to hospital. We've got a bit of a battle going on."

None of the workers at the scene of the accident were prepared to go public. No names of members reporting on the above incident have been included for fear of reprisals.

"Worse - a lot of guys are just too scared to report accidents," said one delegate. "Management is basically incriminating people for doing the right thing."

Worksafe took Patrick to the Melbourne Magistrates Court last year over alleged breaches to section 76 of the act - discrimination against OHS representative in Geelong. The decision is due to be handed down next Monday, January 17.

The **MOL EMINENCE** liner vessel's last port of call [Fremantle](#). It is now in the Indian Ocean on route to PORT KLANG.

Safety NOT in the EBA!!

The POAGs part A negotiations are underway as of 13 &14 January. It's no wonder we have a long way to go when the company position on safety is "safety is not in the EBA". Our view is that safety is not in the workplace and we want it in the EBA to ensure that it actually applies in the workplace where people lives are jeopardised on the waterfront daily. The POAGs National negotiating committee recognised the good work of the Patrick Comrades in pursuit of safety condition in their EBA at present. The following resolution was moved:

To Patrick members
Comrades,
The MUA POAGS National Negotiating committee, meeting in Sydney on 13 January 2011, notes the recent Protected Industrial Action taking place around the country is a great demonstration of practical collective action in support of member's claims in the negotiating process.

The MUA POAGS National Negotiating team also notes the recommendations from the Bulk & General Conference in support of safety and congratulates the action being taken by Patrick members in support of a safer waterfront.

We also note that Patrick members are leading the charge for better Bulk & General conditions for all MUA members working in Bulk & General.

The first day of negotiations with POAGS have demonstrated the belligerence of POAGS and the difficulties that the negotiation committee will have with these negotiations.

All the best in the fight for Your Rights at Work.

In Solidarity MUA POAGS National Negotiating Team

Safe Work Australia TAG

The union's work continues in this area and we maintain the fight for a regulatory approach to waterfront safety.

Arising out of the last TAG meeting a working group will be established to make recommendations and to consider the gaps in the model WHS Act compared to the reality of waterfront practice. This process will determine whether there is a sound argument for stevedoring specific regulation to be included in the new regulations that accompany the new harmonised WHS Act.

The MUA's tabled document with regard to identifying the safety gaps in the regulatory framework will form the basis of the considerations given by the working party.

Employers continue to oppose the regulatory approach wishing to see a more flexible approach that limits safety prescription to guidelines and various other unenforceable standards.

The union's view is that safety must be prioritised and not able to be skirted in the name of profit and production pressures. History has shown with the poor roll-out of the Safe Work Australia stevedoring guidelines by employers that self-regulation is unsatisfactory. The question is enforceability and for workers, security in the knowledge that safety is being prioritised in deed not just in glossy board room powerpoints that don't translate to the worksite.

This battle must and will continue.