



# PASS it on

Newsletter of Proactive Agricultural Safety & Support Inc

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**REMEMBER  
BEING SAFE IS  
NO ACCIDENT**

### Safety Alert Occupational Hazard in Piggeries

A bacteria, *Streptococcus suis*, common in pigs can be caught by humans through contact with live or dead pigs. The exact mechanism of transmission is unknown. Two recent cases at the Canberra Hospital resulted in endocarditis, a potentially life threatening disease, one whom required a heart valve replacement to survive.

SOURCE: Safety Institute of Australia's newsletter "Safety Week"



**PASS Inc Chairman Anne Taylor (right), secretary Fiona Chilvers and her daughter Charlotte are pictured with Aurora's Rolfe Brimfield, Manager Training Strategy & Standards (far left) and Simon Burgess, Safety Manager, at the gate of Jim and Anne Taylor's farm at Nile where the Look Up Look Out sign is prominently displayed as part of Aurora Energy's revamped electrical safety campaign.**

Fiona, in her role as Secretary, states that "Members of the general public have commented to us on the effectiveness of the advertisements in

terms of communicating key safety issues, so we pass on our congratulations to Aurora for this aspect of their ongoing campaign.

"We have also been impressed with the range of targeted, proactive safety messages Aurora have been advocating through different media as well as through the mail outs. In particular, and of special interest to us targeting the rural community was the information mailed regarding the inherent risks of irrigation pipes around electricity. Aurora's perseverance in updating and presenting important safety messages is appreciated."

## Managing Fatigue

**Have you ever been so mentally or physically exhausted that you have been unable to function normally? It is very important to recognise the risks both to yourself and your colleagues if you are fatigued at work. There are many causes:**

- Spending long periods of time awake
- An inadequate amount or quality of sleep over an extended period
- Prolonged periods of physical or mental exertion without enough time to rest and recover
- A period of stress either related to work or home

Fatigue increases the chance of a workplace incident occurring, reduces performance, affects decision making, productivity, and has a major impact on a person's well being. It is vital that managing fatigue is a shared responsibility between employers and their workers, if the workplace is to be a safe place. Fatigue often involves factors both related to work and to outside or personal issues. Either way fatigue is a

major cause of workplace accidents, most of them preventable.

For information that may help you to manage fatigue, search "fatigue" at the following websites

Workplace Standards Tasmania – [www.wst.tas.gov.au](http://www.wst.tas.gov.au)

Better Health Victoria – [www.betterhealth.vic.gov.au](http://www.betterhealth.vic.gov.au)

# Reducing Tasmanian Rural Accidents

**Rural workers continue to be one of the black spot occupational groups with workers at high risk of a severe injury. While many Tasmanian farms have embraced safety standards, there are continued unacceptably high levels of rural workplace accidents.**

Tasmanian owned and operated company Impact Fertilisers is doing its bit to eliminate the risk involved with transporting bulk fertiliser products.

"Impact is trying to be proactive and stop farmers taking unnecessary risks or shortcuts to get a job done," said Scott Evans, Impact's Longford Depot Manager.

The company is currently focusing on raising farmer's awareness of the dangers involved in collecting bulk fertiliser purchases.

"Farmers aren't always aware of the carrying capacity of their vehicles, and therefore are overloading their Utes," explained Mr. Evans. "Standard Utes are not designed to carry a one tonne bag of fertiliser, and farmers are putting their safety at risk when doing so."

Impact have recently begun displaying signs at depots stating "Know your GVM" encouraging farmers to look at their vehicles gross vehicle mass on the registration sticker.

"They have two choices to fix this problem of overloading; the first is to use a cartage contractor, the second is to use a Ute and trailer combination and divide the order into two smaller bags. It is as simple as that," said Mr. Evans.

"We don't want to be policemen, but we are also focusing on the risks of working at heights, for example farmers who need to climb on the Ute to secure bulk fertiliser with a tarp. We are strongly encouraging farmers to use the new roll-over tarps which allow you to remain safely on the ground."

Mr. Evans said nearly all cartage contractors are now compliant with the new tarp regulations, so it is time to get the word out to farmers.

PASS Inc, strongly support Impact's initiative as the groups aim is to get the word out to farmers about the different safety risks associated with rural industries, and we commend Impact on being proactive about reducing the risk associated with fertiliser purchase.

## Near Misses - Do We Need To Report Them?

Have you ever had a near miss on your farm? It is easy to breathe a sigh of relief, take a deep breath, and just get on with the job. But near misses should be seen as a warning – they have given you a second chance to prevent a more severe accident. **Find out what went wrong and why.** Research shows that for every 600 near misses, there are 30 instances of property damage, 10 accidents and 1 fatality. Similar studies have also shown that for every dollar that an accident costs the insurance company, it costs the farmer between \$16 and \$53.

Employees must report near misses, hazards and incidents, no matter how minor, to their supervisor or employer. This information must then be documented, and an appropriate investigation done to work out why the incident happened, and how to prevent a

repeat, or something more serious happening again. There are Incident Report forms available in the Employer's Handbook which you can access from Primary Employer's Tasmania, or from Workplace Standards Tasmania.

**Keep a written record in an easily accessible notebook that everyone, including employees, can use, to document:**

- **The problem**
- **The date it was found**
- **How it will be fixed**
- **When it is fixed (signed off by the employer or supervisor that the problem has been fixed)**

Any near miss that could have resulted in a

serious injury, hospitalization or death must be reported to a Workplace Standards inspector as soon as possible. The quickest way to do this is to call the Workplace Standards Helpline on 1300 366 322 (in Tas) or 03 6233 7567 (outside Tas).

It is vital that the communication lines between employer and employee are kept open regarding all aspects of safety in the work place, and that employees are encouraged to voice any concerns they may have in regard to safety.

The above information and more, regarding workplace accidents and the responsibilities of the employer, can be sourced by contacting Workplace Standards Tasmania on the above phone numbers, or you can go the website [www.workplacesafe.tas.gov.au](http://www.workplacesafe.tas.gov.au)

**REMEMBER A SAFE BUSINESS IS A GOOD BUSINESS**

## Stories From Hands

Have you looked at a farmer's hands? There are many stories to be told about the events leading to the scars, the missing bits and the scaly, crusty skin.

There could be stories of the days spent steering the "open air"/no cabin tractor in his youth with the back of his hands, exposed to the sun all day long for days on end. He possibly has brown "blotches" and scaly patches, and maybe now he rubs skin cream on every night to control the crust. Possibly there are annual Dr visits to remove the skin cancer & its precursor keratosis.

Some of the fingernails may be re-arranged, from being jammed when placed where they should not have been. Maybe the finger was caught in a "trap" be it for rabbit, rat or mouse, which

suddenly snapped shut as it was being set. For one farmer as he was demonstrating to the employee on how to perform a delicate mechanical repair, the finger was crushed in a spring, leaving the nail pleated and the finger for ever more to ache in cold weather.

Perhaps you'll find a shortened or missing finger, traumatised when it came too close to a moving fan belt, or when the wedding ring caught on a nail as he jumped down to the ground.

Maybe when boning the sheep for the family's rations the knife slipped, slicing into fingers requiring sutures to aid repair. One farmer, who has boned many a sheep, nearly amputated his thumb when the sharp knife sliced deeply into

the muscle between the forefinger & thumb. Bravely this farmer insisted on having a shower before travelling to the Dr for immediate suturing followed by weeks of therapy, in the local town 45 minutes drive away.

Whatever the story, the farmer possibly spent days or weeks "out of action" or frustrated whilst he tried to work with only the use of his "good" uninjured hand, his productivity greatly reduced.

Most farmers are exasperated when there is equipment / machinery breakdown. It is such an inconvenience! Unfortunately if it is a human who is impaired / injured we cannot send someone to town for a spare part, and within a few hours be fully operational again.

# Engaging Contractors - are there any Legal Risks?

by Robert Pearce



Farmers often engage contractors to work on their farms. Contractors sow and harvest crops, do shearing, service, repair and install machinery, construct buildings or fences or do plumbing, electrical or other trade work. Contractors come with their own machinery and men. What responsibility does a farmer have to a contractor and the contractor's employees if someone is injured? What should be done to manage the risk?

Farms can be unsafe places. Accidents are common. Farm work involves contact with stock, plant, equipment and machinery, chemicals and other dangerous substances. The work is often hard physical labour which requires manual handling and takes place on slippery or rough surfaces.

**What is a contractor?** Contractors are engaged to do a job, often because of their special skill or expertise. The person who engages them doesn't always control how the job is done. However it is increasingly common for workers to be engaged to work on farms "on contract". There are savings on administration and on-costs, like superannuation and workers compensation insurance. However, such arrangements are risky and should be approached with caution. They may not achieve what they are designed to do. Sometimes these workers are in fact employees, even though until something goes wrong they may regard themselves as contractors and be content to accept the benefits of the arrangement. For example, if a person works regular hours and is subject to the control and direction of the farmer, the person may well be an employee, not a contractor. This has important consequences. Employers must have workers compensation insurance, deduct tax and superannuation for employees and have a very

high duty to employees to provide a safe place and system of work.

**Duties to contractors.** Whilst the duty of care to contractors is less onerous than the duty to employees a farmer still **has certain important obligations and responsibilities**. There are two main ones. The first is under the law of negligence and the second is under Tasmanian legislation called the *Workplace Health and Safety Act 1995*.

**Negligence.** A farmer will be liable for a claim for damages if a contractor or a contractor's employee is injured as a result of the farmer's negligence. All persons have a duty to take reasonable care to prevent injury to someone who comes on to their property. What is "reasonable" cannot be defined, but will depend on the circumstances. For example a farmer might be expected to warn a contractor about a risk posed by a dangerous animal, a faulty piece of machinery or a defective building. A farmer **will be** liable if the contractor is injured because of the carelessness of the farmer or the farmer's employee while they are working together. Examples are common – perhaps something is allowed to fall, or a vehicle is driven negligently.

**Workplace Health and Safety Act 1995.** This legislation requires that a person who has control of the farm must ensure, as far as is reasonably practicable, that the farm itself and the plant provided for the use or operation of persons on the farm, including contractors, is **safe** and without risk to health and safety. Contractors must be made aware of the health and safety requirements of a particular work place.

Substantial fines can be imposed for a breach of these duties – up to \$150,000.00 for companies and \$50,000.00 for individuals. Prosecutions are public and difficult and expensive to defend.

**Risk assessments.** If the size and nature of a farming business warrant it, it may be prudent to engage a consultant from time to time to

conduct an independent health and safety assessment of the farm.

**Insurance.** It is essential that farmers have in place appropriate insurance. It may not be possible to insure against a liability for breach of the workplace health and safety legislation. However public liability and workers' compensation insurance is essential. Advice should be sought from an appropriately qualified and experienced broker or underwriter.

Public liability insurance should cover a farmer for any liability that he or she may have to someone who is injured on their property. That will include not only contractors, but anyone else who comes onto the farm. It is important that you inform your broker of all of the persons or entities that require insurance. For example, the farming business may be conducted by a different person or company than the owner of the land.

If the farming business has employees, it is compulsory that it has in place a policy of workers' compensation insurance with an approved insurer. Particular care should be taken in complying with this obligation. A workers' compensation policy will not only cover the liability to pay workers' compensation benefits to injured employees, but also the liability that the employer may have for damages if the worker is injured as a result of negligence. **It is also very important to understand that a farmer may also be liable to pay workers compensation benefits to the employee of a contractor,** even though that person is not directly engaged by the farmer. This is most likely to happen if the contractor fails to have his or her own workers compensation insurance.

*PASS Inc thanks Robert Pearce who is a partner of the Launceston legal firm Douglas and Collins. He has more than 25 years experience as a lawyer and his practice includes advice about most matters concerning rural land and businesses - sale and purchase, leasing, water, succession planning, wills and estates, land and property disputes and town planning and local government. You can contact him or one of the other lawyers at Douglas and Collins – Geoff Arnott, Graeme Jones, Jock Abey or Andrew Bennett – for further advice on 6332 3400.*

Have you checked your first-aid kits recently? Right now, as we head into the busy season, is a great time to recheck and restock.

## Electric Fences - Friend or Foe?

### Aurora Calls for Warning Signs on Electric Fences

Aurora Energy is appealing to all property owners to ensure electric fencing equipment used on farms carries appropriate warning signs.

Electric fences can deliver a powerful jolt which is particularly dangerous to people with heart problems or a pacemaker.

Aurora's Manager Training Strategy and Standards, Mr Rolfe Brimfield, made the appeal following an incident in which an Aurora line worker received a

severe shock from an electric fence while assisting with the replacement of a condemned pole.

He said that while the line worker had been cleared by medical authorities of any long-term ill-effects, the incident highlighted the potential dangers associated with electric fences and the need for higher levels of awareness.

"Our employee was installing a transformer earth at the base of a pole on a farming property

when the incident occurred,"

Mr Brimfield said. "An uninsulated section of earth wire was being moved into position when it dropped down and came into contact with the energised electric fence, which discharged its stored energy into the line worker."

Mr Brimfield said employees had been unable to determine if the electric fence was

*story continued over page*

# A Word From The Chairman

by Anne Taylor

## There is nothing more important than safety

According to the Australian Bureau of Statistics, Agriculture is one of the most dangerous industries in Australia but the safest industry over the past few years has been oil & gas production, despite their extremely challenging environments & inherent risks.

(Source: Presentation at the Safety Institute of Australia Conference 2008 by Mr Glenn Henson, Director of Exon Mobile)

At Exon Mobile, the safety attitude & culture is such **“that no-one walks past a hazard”** and **“that no task is so important that a way cannot be found to do it safely”**.

Changing the “safety culture” is the current challenge of safety professionals. According to Angelica Vecchio-Sadus, HSE Manager at CSIRO Minerals there are 4 stages in the evolution of a **“sustainable safety culture”**.

(Source: Presentation at the Safety Institute of Australia Conference 2007)

Do you know of anyone:

- Who regularly takes a “short cut” just to ensure the job is done?
- Who takes a “short cut” only when running late or the rain is coming?
- Who considers that complying with the standards means they are safe?
- With the attitude “that no task is so important that a way cannot be found to do it safely”?

It takes more than luck to know you are safe. Achieving a sustainable safety culture & practices requires change by us all, some more than others. One older farmer said to me “You shouldn’t be in farming if you don’t expect to get hurt”!! Do you agree?

The July 2008 Forum **“Managing Contractors, Service Providers & Visitors to Agricultural Businesses”** highlighted many of the issues facing both farmers, contractors and processing companies when working on farms. It was well demonstrated that “Safety is a shared responsibility”.

As a result of the Forum there may be changes to what information is required by farmers, their contractors, the field officers and the harvest teams of processing companies before work commences. One processing company is aiming to share their documented “paddock risk assessment” with each of their growers. This is a very positive step to ensuring “safety” is a T.E.A.M. event.

Farmers attending the lecture on **“Loads Restraints”** found it very informative. Some of them have made various changes to their work practices. These include:

- Installing secured metal rings on the ute tray for attaching the restraints
- Purchasing ratcheted straps
- Discarding frayed ropes
- Securing a rubber or wooden strip on the load-bearing surface of metal racks added to the Ute for carrying long objects.

The spring & summer are the busiest seasons for farmers. Please take care. Taking a few minutes longer to ensure you are safe is valuable insurance to guarantee you will return home for dinner in one piece and will be ‘on the job’ tomorrow.

Anne Taylor,  
Chairman

## Electric Fences - Friend or Foe? *continued from previous page*

energised and the property owner had not been at home to provide information.

He said the workers had tried to mitigate the risk of an electric shock by placing a rubber line cover over the fence and the line worker concerned had been wearing the correct personal protection equipment. However, inadvertent contact had occurred with the electric fence, causing considerable pain and distress to the employee.

“We have issued a strong reminder to our own employees to conduct thorough risk assessments before starting any job and advised that if electric fences can’t be

de-energised the work area should be covered with insulating mats,” Mr Brimfield said.

“However, we believe farmers should be proactive and provide adequate warnings on their electric fences to ensure family members or the public are not put at risk.

“Many people mistakenly believe that shocks from an electric fence are not all that serious but like any electrical apparatus they have the potential to kill, as occurred in Victoria in 2000 when a young boy died after contacting an electric fence.”

Released by Christine Ward  
Manager Public Relations, Aurora Energy



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