

Hello and welcome to the January 2024 edition of NZISM Wellington Branch newsletter.

In this issue, we cover:

- The latest news and media from WorkSafe and MinterEllisonRuddWatts
- The upcoming event for February
- The best practices for managing asbestos, trench safety, and forklift safety
- Changes to the Wellington Committee members

We hope you enjoy this newsletter and find it useful. If you have any comments, suggestions, or questions, please feel free to contact us at [well.nzism@gmail.com](mailto:well.nzism@gmail.com). We would love to hear from you!

## News and Media

Here are some of the latest news and media articles from WorkSafe and MinterEllisonRuddWatts that you may find interesting and relevant:

- Worker nearly buried alive in trench collapse: A worker had to use his hands and a spade to dig his workmate free from a torrent of dirt when a trench they were excavating collapsed in the Waikato backblocks, in what WorkSafe says was a preventable incident.
- High Court clarifies who can be a PCBU under the Health and Safety at Work Act 2015 “In a recent judgment [1], Harvey J found that a trust was not a “person” for the purposes of the Health and Safety at Work Act 2015 (HSWA). However, his Honour found that the trustees of a trust, as a collective, were a “body of persons...unincorporate” and therefore were a “person” for the purposes of the HSWA. These findings are significant as they impact who could be charged as a PCBU under the HSWA in relation to a fatal workplace accident.”

To read more news and media articles, visit the [WorkSafe](#) and [MinterEllisonRuddWatts](#) websites

## Upcoming Event

- February's event will soon be up for booking on our branch website. We have the famous **Chris Polaczuk** Ergonomics Programme Manager at Construction Health and Safety NZ (CHASNZ) discussing the amazing work CHASNZ have been up to and sharing information on their new initiatives. This is planned for February 27th 12pm-2pm at NZRU Wellington. Booking link coming soon so keep your eyes out on <https://www.nzism.org/info/branch/wellington/>

## Best Practices

Here are some reminders of the best practices for managing asbestos, trench safety, and forklift safety from last year's prosecutions that you may want to implement or review in your workplace:

- [Asbestos prosecutions highlight room to improve](#): WorkSafe New Zealand says two recent court cases show Aotearoa still has a long way to get asbestos management right. Asbestos is a known carcinogen and exposure can cause serious and fatal diseases. WorkSafe requires asbestos management plans to be in place for workplaces where asbestos or asbestos-containing material has been identified or is likely to be present.

“The health consequences seen today are the legacy of historic exposure to asbestos, often while at work. Actions taken today will help prevent yourself, workers and others being harmed by asbestos-related disease in the future,” says Tracey Conlon.

WorkSafe has a broad range of advice and guidance online about managing asbestos-related risks, including what businesses are required to do to manage asbestos exposure risks.

[Read more about the case against Inspired Enterprises Limited](#)

[Read more about the case against Wilson Building Timaru Limited](#)

- [Falling beam crushed worker](#): The death of a 21-year-old in the construction sector shows how easily stopgap measures can endanger workers, WorkSafe New Zealand says. The worker was crushed by a steel beam that fell from a forklift when he was trying to remove a strap. WorkSafe advises that you use appropriate lifting equipment, secure the load properly, and keep clear of the drop zone when moving heavy objects. “When there is no obvious safe way to work its best to stop, reassess, and involve experts to develop a new approach – rather than attempting to adapt things on the fly,” says WorkSafe’s area investigation manager, Danielle Henry.

“Not stopping for a short amount of time to come up with an alternative safer method cost a family their loved one, and affected productivity on a major construction worksite for days and weeks afterwards. Getting workers home healthy and safe must always be the top priority, especially on fast-moving and dynamic construction sites.”

- [Child struck by teen forklift driver](#): WorkSafe is cautioning that worksites are not the place for childcare, in response to the case of a five-year-old being run over in a forklift incident at a Hawke’s Bay orchard. The child suffered serious injuries and the forklift driver was only 15 years old and unlicensed. WorkSafe reminds you that you must ensure that only trained and authorised operators use forklifts, and that you keep children and other pedestrians away from the work area. Businesses must remember that workers under 15 are not allowed to drive vehicles on worksites.

Risk management by the business was verbal and informal because of language barriers.

“It’s not good enough to say that your risk management is verbal because employees cannot always read English. Translating your safety information for workers, if necessary, goes a long way to keeping them safe.”

“Better traffic management would also have made a big difference to safety. This could have included exclusion zones to separate vehicles from people, the use of barriers when operating the forklift, clear signage, and separate entry and exit points for people and vehicles,” says Paul Budd.

To read more best practices, visit the [WorkSafe](#) website

**Call to action:** Do you have any best practices that you would like to share with us? Send them to [well.nzism@gmail.com](mailto:well.nzism@gmail.com) and we may feature them in our next newsletter.

## Changes to the committee

- It is with great sadness to bid farewell to three of our Wellington branch committee members. **Evette McClure, Nikki Du Fresne and Cliff George** we will miss you all! Thank you for your valuable time you have spent, dedication and commitment to our branch.
- **A special mention for Evette McClure** who has been instrumental in uplifting our committee newsletter, you all have gotten used to. Spending hours sourcing material and putting it together. Helping finding speakers along with hosting some fantastic informative events. Evette has put tireless hours into helping provide Wellington NZISM members with great information and adding value in the aim to help make our workplaces safer by helping others. We will truly miss your input and support Evette!

A reminder to our membership. Our committee is volunteer run with support from NZISM head office.

Along with our normal day jobs, our committee put in sometimes many hours, meeting, organising events, finding relevant speakers, booking venues and sourcing information for newsletters. Sometimes after much effort events or speakers fall through meaning we might have to shrug it off and start again. It takes some special people who are willing to put their free time to help others learn and grow.

So another **Call to action:** Do you have great ideas for events or how the branch can be better? Wanting to grow your professional skills, and help shape the region's health and safety? Then consider joining our committee.

Please contact us at [well.nzism@gmail.com](mailto:well.nzism@gmail.com) we would love your support!

Thank you for reading!

Stay safe and well,

Tom