



Media Release - SafeWork SA

Wednesday 9 April 2008

PENALTY FOR ELECTROCUTION FATALITY

The proprietor of an Adelaide sign installation business has been fined a total in excess of \$46,000 over an incident in which one of his workers was electrocuted, and a second was put at risk.

Grant McIvor, who traded as **Graphic Installations**, pleaded guilty to two counts of breaching section 19(1) of the *Occupational Health, Safety and Welfare Act 1986* in failing to ensure the safety of employees.

On 31 January 2005, 34 year old father of three, Alan Groeneveld was killed when he touched live wires within an illuminated sign that he and a colleague were performing maintenance work on, at a Prospect car dealership.

His 22 year old colleague tried to rescue him by pulling Mr. Groeneveld back from the sign, thereby exposing himself to the same risk of electrocution.

SafeWork SA's investigation found multiple shortcomings in safety precautions.

- The sign's power supply was not isolated, despite a previous warning that the switch was difficult to find.
- There was no hazard identification or risk assessment for maintenance work on the sign.
- There were inadequate safe working procedures.
- There were insufficient safeguards for working at height.
- There was insufficient information, training, instruction or supervision.

Industrial Magistrate, Stephen Lieschke said it appeared too much was left to the workers on site to determine for themselves:

"Relying on the experience and competence of employees to work out safety for themselves in unusual but not unforeseen circumstances is not a sufficient safeguard."

"Nor is having a reasonable set of safety documents which are not consistently used, a reasonable approach."

Mr. Groeneveld's widow and his colleague both tendered victim impact statements to the court.

Mrs. Groeneveld outlined the impact that her husband's death has had on her and their three daughters, while the colleague recounted the prolonged depression he suffered and his ongoing fear of electrical switches.

[more]



In determining penalty, Magistrate Lieschke took into account the defendant's early guilty plea, cooperation with SafeWork SA, contrition, and the small size of his business. The penalties for the two charges were reduced by 25 per cent.

For the breach of section 19 pertaining to Mr. Groeneveld's death, Magistrate Lieschke set a fine of \$37,500 plus costs.

For the breach of section 19 pertaining to the risk of harm to Mr. Groeneveld's colleague, a fine of \$9,000 plus costs was levied.

SafeWork SA says it's vital that employers have an active safety policy supported by safe work procedures to cover situations that are difficult or out-of-the-ordinary.

"There was clearly an area of risk in this task that needed a relevant policy," says SafeWork SA's Acting Executive Director, Bryan Russell.

"The early warning that the power isolation switch on this sign was difficult to find, should have been acted upon as a priority.

"Prompt action on a risk such as this is a fundamental component of any good workplace safety process," Mr. Russell says.

"The pity... the tragedy... here is that the questions on the hazards of this task were asked after the fatal event, not before."

*For answers and advice on workplace health and safety and the relevant laws, SafeWork SA operates a telephone Help Centre on **1 300 365 255** or **8303 0400**. To report serious accidents or incidents, in the workplace call **1 800 777 209***