



# Media Release - SafeWork SA

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Friday 30 April 2008

## BUILDER FINED OVER SPINAL INJURY TO APPRENTICE

**The vulnerability of young workers and the injury risks from falls, have been highlighted in a case before the SA Industrial Relations Court today.**

Builder, **Darren Shields**, was fined \$16,000 today after pleading guilty to one count of breaching Section 19 of the *Occupational Health Safety and Welfare Act 1986*, in failing to ensure the safety of an employee.

SafeWork SA prosecuted after investigating the incident at Clayton, south of Adelaide, in September 2005. An 18-year-old male apprentice fell three metres from the timber deck of a pole-framed house under construction, suffering two crushed vertebrae.

The court was told that a temporary handrail had been removed to allow some work to proceed. Verbal instruction to the two apprentices assisting him was the builder's only precaution for dealing with the inherent risk of falling.

In announcing penalty today, Industrial Magistrate Stephen Lieschke said other means of fall protection such as harnesses or extra scaffolding were readily available precautions:

*"As the employer of a teenage apprentice Mr. Shields had a high level of responsibility to eliminate such risks.*

*"The casual acceptance of risk of injury on behalf of his employee was the primary contributor to this incident."*

Magistrate Lieschke said the injured worker had made a good recovery since the incident, and is now a qualified carpenter. The magistrate discounted the penalty by 20% for the defendant's early guilty plea, cooperation and contrition.

"This had all the makings of a tragedy," says SafeWork SA Executive Director, Michele Patterson.

"In comparison with other workers, young people are twice as likely to be injured at work, while falls are the single-biggest cause of workplace injury and deaths in the construction industry.

"There is simply no excuse for inadequately managing the risk of falls at building sites, but they are still so common that a national prevention campaign was staged earlier this year, and our efforts are ongoing" Ms. Patterson says.

*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. To report serious accidents or incidents, in the workplace call 1 800 777 209*