



# Media Release - SafeWork SA

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Thursday 9 April 2009

## WASTE COMPANIES FINED OVER DRIVER INJURY

**Two companies have been jointly convicted and fined by an industrial magistrate today over an incident at the Dublin waste disposal facility, north of Adelaide.**

**Acquista Investments Pty Ltd** and **Collex Pty Ltd** received their penalties today following a trial last year.

The companies were found guilty of breaching Section 19(1) of the *Occupational Health Safety and Welfare Act 1986*, in failing to ensure an employee was safe from injury, failing to provide and maintain a safe system of work, and failing to provide adequate information, instruction, training and supervision.

SafeWork SA prosecuted after investigating how a truck driver came to be injured during an operation to unload bales of compressed waste from his vehicle, in January 2005.

The court heard that the man was standing inside the trailer to sweep out fallen waste, when he was struck by a bale weighing several hundred kilos, which had fallen from the stacked load still within the trailer.

He sustained serious crush injuries, namely fractures to his pelvis, knee and lower back, with Industrial Magistrate Stephen Lieschke saying, *"the risk of injury created by the unsafe work circumstances was potentially of a fatal injury."*

While the worker largely recovered from his injuries, his treatment is ongoing and he has since retired from the workforce.

The two companies were partners in a company called **Integrated Waste Services**, which operated the facility at Dublin where the incident occurred. In his decision on penalty delivered today, Magistrate Lieschke said *"a risk of injury to a driver sweeping the floor of the trailer during the unloading process was foreseeable."*

**Collex Pty Ltd** was fined \$40,000 and **Acquista Investments Pty Ltd** was fined \$37,500.

*Both parties have indicated they will appeal against their convictions and penalties.*

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