



Media Release - SafeWork SA

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EMPLOYER FINED OVER CRUSH INJURY

A prominent manufacturer of sheet metal products has been convicted and fined in the Industrial Court today over an incident, which led to worker injuring his thumb in a machine.

Stratco (SA) Pty Ltd pleaded guilty to one count of breaching section 19(1) of the *Occupational Health, Safety and Welfare Act 1986* in failing to provide and maintain plant in a safe condition.

The incident happened in December 2006 as a worker sought the assistance of a colleague to fold a long piece of sheet metal in a fabricating machine.

With both workers at the machine, one had the tip of his left thumb caught during an attempt to adjust the metal, which had slipped from the clamp and jaws. The injury was minor and the employee returned to work the following day.

Despite extensive safety measures already on the machine concerned and within the general work practices of the employer, the court heard that a lack of adequate training for the machine operator was the major cause of the incident.

A SafeWork SA investigation also revealed that a light curtain, which normally detected the presence of someone at the machine, could not detect a person already standing within the danger zone as the machine was reset for another operation.

The company has since remedied these measures, and the sheet metal product was re-engineered to eliminate the need for that particular type of processing with the machine.

This was the company's second offence after a crush incident in 2005, and as such was liable for a maximum penalty of \$200,000. However, Magistrate Michael Ardlie noted the circumstances which he described as "quite unique":

"Whist not unforeseeable, they are at the extreme end of foreseeability given what the defendant had done regarding the safe operating procedure of the machine and regarding the normal or usual operation of the machine."

He recorded a conviction and fined the company \$24,000, discounting the penalty by 20 per cent to acknowledge its early guilty plea, cooperation, contrition and remedial action.

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