



Media Release - SafeWork SA

Tuesday 2 December 2008

FINE FOR ILLEGAL ASBESTOS REMOVAL

SafeWork SA is warning employers of the need to strictly follow guidelines and laws for the safe removal of asbestos.

Today an industrial magistrate convicted and fined **All Type Earthmoving Contractors Pty Ltd** a total of \$6,000 for breaching workplace safety regulations relating to asbestos.

In short, the company conducted asbestos removal work without being licensed to do so, when two of its employees were directed to handle asbestos-laden concrete in removing a driveway and shed floor from a Ferryden Park residence in February 2006.

The company pleaded guilty to three breaches of the *Occupational Health Safety and Welfare Regulations 1995* after a SafeWork SA inspector observed the work being undertaken.

Apart from being unlicensed for such work, the company:

- did not monitor the amount of airborne asbestos released
- did not provide personal protective equipment to its employees
- did not cordon off the area
- did not post signs warning of asbestos removal.

In his penalty decision, Industrial Magistrate Stephen Lieschke said the defendant's ignorance of the need for licensing and air monitoring under the OHS laws was an explanation but not an excuse.

This is SafeWork SA's second successful prosecution over asbestos-related incidents recently.

In August, **Eco Asbestos Removal Services** was fined \$13,500 after pleading guilty to three breaches of regulations dealing with asbestos removal under similar circumstances to today's case.

FINE FOR FORKLIFT RISK

In an unrelated case, **Oliver's Fodder Pty Ltd** was convicted and fined \$11,250 today for putting an employee at risk during work at height involving a forklift.

In May 2006, at the company's Warradale premises, a SafeWork SA inspector observed an unsafe work practice in which an employee stood on a wooden pallet raised by a forklift in order to perform roofing work.

While the worker was not injured on this occasion, SafeWork SA argued successfully that the company failed to provide suitable fall protection, as well as suitable information, training and supervision.