



Media Release - SafeWork SA

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RESOURCES COMPANY FINED OVER QUARRY INJURY

A leading supplier of construction materials has been fined by an Industrial Magistrate today over a workplace incident that resulted in serious leg injuries to an employee.

Boral Resources (SA) Limited had already pleaded guilty to one count of breaching section 19(1) of the *Occupational Health Safety and Welfare Act 1986* in failing to provide a safe system of work and to maintain plant in a safe condition.

SafeWork SA prosecuted after investigating an incident at the company's Linwood Quarry at Stonyfell in August 2007.

A male employee was assigned the task of removing the picks (or teeth) from an excavator bucket. When they proved difficult to move, he used a hardened steel sledgehammer, which caused shards of metal to splinter from the pick and enter the employee's upper leg.

SafeWork SA submitted to the magistrate that:

- the employer failed to provide an appropriate tool to eliminate the risk of splintering metal
- there was no adequate hazard identification or risk analysis for the task
- there was no safe work procedure devised for the task
- the employee should have been told of the risks of such a task.

The court heard that after several operations to remove the fragments from his leg, the employee was fully supported by the defendant in assisting him to return to work.

The court was also told that since the incident, the company had instituted a number of effective remedial measures, and even informed various industry forums about the incident and the general risks involved.

Industrial Magistrate Michael Ardlie noted the company's early guilty plea, contrition and cooperation with authorities, and described the incident as "*a shortfall in... procedures and was certainly not the product of a systemic problem*". Nevertheless he fined the company \$26,250 after a discount of 25%.

SafeWork SA Executive Director, Michele Patterson says while the court noted the measures in place should ensure no repeat would occur, the incident highlights the need to factor safety into all tasks no matter how familiar or minor they may seem.

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