

South East construction business prosecuted after worker fatality

The family of a worker electrocuted in 2014 has received compensation as part of a decision made by the Industrial Court this last week.

The Industrial Court convicted Millicent design and construction business Bissen Pty Ltd, and imposed a penalty of \$45 000 plus court costs in recognition of an early guilty plea and the defendant agreeing to publicise the incident in local newspapers.

In addition, the defendant consented to an order to pay \$20 000 to the family of the worker.

On 23 April 2014, Mr Bryson Leibhardt, a long-standing employee of Bissen Pty Ltd, was electrocuted when metal flashing he was holding came into contact with overhead power lines, resulting in his death.

Following investigation by SafeWork SA, Bissen Pty Ltd was charged with failing to provide and maintain a work environment without risks to health and safety, failing to ensure the provision and maintenance of a safe system of work, and failing to ensure the provision of information, training, instruction or supervision of workers.

Presiding Magistrate Ardlie acknowledged that this was the company's first offence as well as the significant capital invested by the company and the comprehensive training of workers since the incident, and stressed the importance of site inspections.

"Importantly and fundamentally the defendant now conducts an inspection of each site before any plans are submitted to council prior to the commencement of any work," said Magistrate Ardlie.

"This conviction shows the serious impacts of unsafe work practices and especially the need for extra vigilance when working near overhead power lines," said SafeWork SA Executive Director, Ms Marie Boland.

"People can ask for help from SafeWork SA to identify and manage work health and safety risks. If you have health and safety concerns in your workplace, request a visit from one of our experienced advisors," said Ms Boland.

To book a free advisory service, please contact SafeWork SA on 1300 365 255 or email help@safework.sa.gov.au. **ENDS**