



9 June 2010

Coroner Kim Parkinson
Coroners Court of Victoria
Level 1, 436 Lonsdale Street
MELBOURNE VIC 3000

Dear Ms Parkinson,

GREGORY PRICE – (DECEASED) 2 AUGUST 2001. CORONER CASE 2390/01

Thank you for your report into the death of Mr. Gregory Price following your inquest of November 2009.

The report and covering letter from the Registrar, Lauren Stiffle, was received by WorkSafe's CEO, Greg Tweedly, on 13 May 2010.

WorkSafe has considered the report and in particular your comments and recommendations in relation to this very unfortunate workplace death.

I note that the recommendations are primarily aimed at duty holders in the workplace, however, WorkSafe is keen to ensure that unsafe work practices are eliminated and to this end has taken a number of steps to alert industry to the hazards and risks that were identified in the course of WorkSafe's investigation into the death of Mr Price and now also highlighted in your report.

In relation to each of the Recommendations, please be advised of actions taken by WorkSafe to address the issues identified.

Recommendation 1: *That no rope or line of any type be affixed, attached or tied to any elevated work platform when the Elevated Work Platform is in use.*

WorkSafe supports this recommendation. In March 2005 WorkSafe issued an Alert in which the hazards associated with this work practice were clearly identified [**Attachment 1**]. The Alert is available on the WorkSafe's web site. Page 2 of the Alert clearly identifies the risk of overturning and entanglement if ropes, wire, cable, hoses etc. are attached to the rails of an EWP.

Recommendation 2: *That all Elevated Work platforms have warning stickers located in a prominent position on railings prohibiting the affixing, attaching or tying of any type of rope or line.*

There are numerous potential hazards and risks associated with improper use of EWPs and the application of a prescriptive solution that addresses one hazard above other potential hazards and risks associated with plant and equipment may diminish other equally important hazards and risks that may be specified in the plant manual. This recommendation if enforced may err on the

side of being too prescriptive and selective as to the best and most appropriate method of making operators aware of specific and general hazards and risks associated with EWPs.

Recommendation 3: *That a Work Method Statement and a Job Safety Analysis be required prior to commencement of any construction work a description of the risk elimination or reduction measures to be adopted.*

This requirement is already in force pursuant to Chapter 5 of the *Occupational Health and Safety Regulations 2007*. Chapter 5 (Part 5.1) details the requirements for hazardous industries, including construction, and in section 5.1.9 raises specific requirements for safe work method statements.

Recommendation 4: *That the operating instructions in relation to the safe operation of the plant and equipment expressly referred to in the Work Method Statement and Job Safety Analysis.*

This recommendation is covered by legislation. The requirements for training and supervision and the duty of care for employers are clearly covered by legislative requirements in the *Occupational Health and Safety Act 2004* and the *Occupational Health and Safety Regulations 2007*.

Recommendation 5: *That the Work Method Statement and Job Safety Analysis be legislatively required to be located at the site where the work is to be performed ... etc.*

It is implicit in the *Occupational Health and Safety Regulations 2007*, sections 5.1.9 (1b), 5.1.12 and 5.1.18(2), that employees must be trained in the Work Method Statement.

Recommendation 6: *That where a forklift and Elevated Work Platform are operating in close proximity in the installation of pre-form panels, that there be a lookout appointed, or camera device fitted to ensure distance and separation of equipment.*

This recommendation is not supported as it prescribes quite specific controls that may preclude other more effective high-order controls. Entanglement and collision are clearly identified risks and the use of a spotter or camera may be one method of control in some circumstances, however, design and engineering controls may be more appropriate and safer, depending on the nature of the task and the layout of the workplace.

I trust this information is of assistance to you.

Yours sincerely



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