Minutes of the June meeting of the OHS Committee held at 10:30am on the 16th of June 2009 in UniCentre Function Room 3.

1 PRELIMINARY BUSINESS

1.1 WELCOME AND APOLOGIES

PRESENT:  
Ian Laird (Chairperson, Engineering and Informatics WAC representative);  
Kellie Ridges (HBS and Science WAC representative);  
Daniel Leo (Administration and Commerce WAC representative);  
Brent Michell (B&G and Accommodation Services WAC representative);  
Joanne George (CPSU representative);  
John Steele (Management representative);  
Bruce Flint (Management representative);  
Assoc. Prof. Stephen Wilson (Management representative);  
Prof. Simon Ville (Deans Representative);  
Ellen Manning (Acting Secretary, Science & Engineering OHS Coordinator);  
Darren Smith (OHS Manager);  
Lynne Wright (EED representative);  
Paul Else (HBS WAC Chair)  
Ron Sluyter (Science WAC Chair);  
Ron Marshall (Engineering WAC Chair);  
Louie Athanasiadis (Alternate Commerce WAC Chair);  
Aaron McGrath (B&G WAC Chair);  
Mark Haining (Accommodation Services WAC Chair);  
Chris Hadley (Administration WAC Chair);  
Des Fitzsimons (FCA WAC Chair);  
Mike Manning (Library WAC Chair);

APOLOGIES:  
Prof. John Patterson (Management representative);  
Peter Gray (Library and ITS WAC representative);  
Brent Michell (B&G and Accommodation Services WAC representative);  
Stephen Cooper (UniCentre representative).  
Dylan Smith (Secretary);  
Prof. Edward Wolfers (NTEU representative);  
Prof. Shirley Leitch (Deans Representative);  
Tim McDonald (Informatics WAC Chair);  
Nicola Evans (Arts WAC Chair);  
Kankesu Jayanthakumaran (Commerce WAC Chair);

1.2 WELCOME TO WAC CHAIRS AND THE DEAN'S REPRESENTATIVE: PROF SIMON VILLE

Prior to the commencement of the official business, the Chair welcomed Prof Simon Ville as the alternate Deans Representative and attending WAC chairs to the meeting.

1.3 CONFIRMATION OF MINUTES

The minutes of the previous meeting held on the 19th May 2009 were confirmed without change.
2 BUSINESS ARISING

2.1 EMERGENCY ALARM DEVICES
Darren Smith provided feedback on discussions with ITS regarding options to integrate emergency alarm notifications via the impending Voice Over Internet Protocol (VOIP) project. ITS stated that automated phone messages are not available with the VOIP project. ITS will trial a desktop messaging service for managed desktops in Accommodation Services. A review will be conducted for potential use across the University after the project has been completed with an anticipated mid year rollout.

Persons not on a managed desktop or with limited computer access will continue to use the current system for emergency notification by using building wardens and emergency alarms as appropriate.

2.2 NATIONAL REVIEW INTO MODEL OHS LAWS
Darren Smith provided the Committee with a summary of the status of the proposed Model National OHS Laws that included information on the Commonwealth Self Insurance System and any likely impact for UOW. See Appendix 1.

2.3 SAFE WORK PROCEDURE REVIEW
Daniel Leo provided an update on Faculty progress in updating online Safe Work Procedures from hard copy. Approximately one third of Safe Work Procedures currently on SafetyNet have been converted from hard copy since January 2008. The remaining two thirds are new Safe Work Procedures that have been developed during this period.

Units are being encouraged to convert remaining hard copy safe work procedures to SafetyNet. Approvers have responsibility to check quality and completeness of Safe Work Procedures including hazard identification and appropriateness of risk controls.

John Steele noted that quality control of completed Safe Work Procedures should be reinforced at training courses. Developers are encouraged to attend training for developing Safe Work Procedures. The OHS Unit is able to work with developers to assist with writing Safe Work Procedures.

2.4 BUILDING 41 THERMAL COMFORT SURVEY
Paul Else provided the results of a Thermal Comfort Survey he conducted in February 2009 (See Appendix 2). Areas surveyed included Nursing, Psychology, Health Sciences and small research units. There was no temperature monitoring during the survey. Ron Slayter commented that the Science WAC had held discussions on thermal comfort in buildings 32, 35, 41 and 18.

Darren Smith stated that Thermal Comfort guidelines are available from the OHS website and recommended the establishment of a working party to review options. Building 31 had been investigated by WorkCover after reporting effects including headaches and heat rash. Assoc. Prof. Brian Davies, Occupational Hygienist, completed a study of Building 31 temperatures which had been inconclusive regarding health effects.

Ian Laird asked WAC Chairs to report to Darren Smith with a list of areas within their Faculty/Division that had experienced thermal comfort issues.
3 GENERAL BUSINESS

3.1 OHS UNIT REPORT

3.1.1 PERFORMANCE SUMMARY

There were 9 new workers compensation claims lodged in May which included:

- One lost time injury which had a total of 8 days lost.
- Three medically treated injuries of which one occurred away from the normal place of work;
- Five insignificant injuries which following initial assessment by a general practitioner did not necessitate any further medical treatment.

3.1.2 WORKCOVER NOTIFIABLE/SIGNIFICANT INCIDENTS

Nil. July meeting to include 2009 year to date injury summary review

3.1.3 HAZARD AND INCIDENT REPORTING

The number of reported hazards and incidents (including students and visitors) in May was 43. One of these was a near miss assessed as high risk:

<table>
<thead>
<tr>
<th>Risk Score</th>
<th>Description of Hazard/Incident</th>
<th>Corrective Action Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td>Ceiling panel containing fire detection equipment dislodged and landed heavily on the ground in Building 18 during working hours.</td>
<td>1. Contractor instructed to ensure ceiling panels are appropriately maintained. 2. Inspection of other possibly affected ceiling panels to confirm they are securely fastened.</td>
</tr>
</tbody>
</table>

3.1.4 SAFE WORK PROCEDURES

Total Number of Safe Work Procedures finalised in SafetyNET – May 2009:

- 201

3.1.5 TRAINING

There were 4 OHS Training Courses conducted in May with 48 participants.

3.2 OHS DOCUMENTATION REVIEW

The following documents are currently for review with comments to Daniel Leo by 5th July.

<table>
<thead>
<tr>
<th>Document Information</th>
<th>Review Period Open</th>
<th>Review Period Closed</th>
</tr>
</thead>
</table>

3.3 WAC COMMITTEE CHAIR REPORTS

Interim status reports were provided by WAC Chairs. WAC Chairs were reminded that the OHS Unit are available to assist with the resolution of OHS issues.

Health & Behavioural Sciences

- 78% attendance for 3 meetings held in 2009
- All incident reports tabled at WAC meetings
- All 2008 Laboratory Inspections had been verified
- First Aid kits had been identified and updated with current First Aiders
- Office and Laboratory inspections to be carried out for 2009
- Problems noted with the use of SafetyNet
- WAC organised better communication between building wardens: HBS and Science
- Requested clarification on staff responsibilities for student medical emergency
Thermal Comfort survey in HBS areas of Building 41 from 9-16th February 2009

Building & Grounds
- 1 meeting for 2009
- List developed for inspection of all areas
- WAC items are being addressed
- New representatives on WAC including new chair

Administration
- Low risk area with hazards mainly ergonomic or environmental (too cold)
- 4 meetings per year with inspections after each meeting
- 14 reported incidents on SafetyNet
- Noise at Building 6 construction site affecting Print Production office
- Print Production services moved to Unanderra considering separate safety committee

Accommodation Services
- First meeting and workplace inspection 29th April, next inspection 27th May
- LPG Gas Bottles: Funding has been approved for the final four fixed BBQ's to be connected to Natural gas, eliminating the need to transport and store gas bottles at Accom. Services sites.
- E-Tagging: Additional two staff members have completed E-Tagging training, and they are currently prioritising and working through the back log of items. Also currently looking to set up a recording system to keep track of the large amount of items needing E-Tagging.
- Committee has agreed that we will report all hazards found during our inspections onto safety net, and also include them in the minutes, this is to deal with the problem of there being too many outstanding inspection items dating back in some cases twelve months.
- There has been a positive increase in the amount of hazards being reported on safety net across all sites, this is seen even before WAC members started reporting workplace inspection hazards on the site.

Engineering
- OHS Officer appointed to assist with SWP development in 65 laboratories with high risk equipment.
- Follow up laboratory inspections held recently with participation by Dean and HOS
- Building 6 demolition involved movement of laboratories and workshops to Coniston and Ralph Black Drive.
- Appointment of Building Wardens and First Aiders for new locations.

Creative Arts
- WAC chair vacancy to be filled for Creative Arts (Current Chair: Penny Harris has indicated she may not continue).
- 4 new Academic staff members for FCA WAC in 2009.
- Building Warden in Bld 25 verbally abused by a lecturer during an evacuation - request clarification of Building Warden responsibilities.
- FCA WAC committee following up implementation of recommendations from OH&S Verification Audit.

Science
- Good participation by all WAC members with representation from students, academic and general staff
- Thermal comfort issues in many buildings

Commerce
- WAC identifying replacement building wardens due to staff movements.
- First Aid kit audit in Building 40 identified relocation of one kit to area near first aider.
- Office inspections on third floor identified heavy items on top of bookcases and cracked power
points in toilets.

- Exit signs being replaced in Building 40.
- Mock evacuation planned next month for Building 40.

**Library**

- 4 meetings per year.
- Library staff website updated to include local emergency procedures.
- Induction training continues for all new staff including casuals.
- Changes in First Aiders.
- Mock evacuation in January slow due to student reluctance to leave and Panizzi café staff did not evacuate.
- Exit signs have been replaced.

**Informatics**

The WAC chair provided the following report by email:

- Building 6 construction site impacting on staff in Building 3 including noise, vibrations, dust etc and disabled access.
- Working with B&G on solution to ongoing problems with smoking around buildings 3 and 39: bins being set on fire by butts; smoke entering windows and waste around and on steps.
- Building 35 basement issues including an ant infestation.
- Follow up 2008 Workplace inspections and audits including issues identified in SECTE laboratories.

Follow up Items for OHS Unit:

- Health and Behavioural Sciences – Request clarification of issues with SafetyNET.
- Creative Arts – Request Clarification of Building Warden responsibilities.
- Library – Reluctance of staff and students to evacuate Panizzi Café during mock evacuation.

4 **LATE BUSINESS**

Kellie Ridges is conducting research on the group dynamics of OHS Committees and made a request to contact elected members of the OHS Committee as part of the research project. The Committee agreed with Kellie’s request and wished her all the best for her research.

Campus inspections will be held at the conclusion of the July meeting of the OHS Committee.

5 **NEXT MEETING**

The next meeting is scheduled to be held on Tuesday 21st of July 2009 at 10:30 am in Building 36.304. The meeting closed at 11.40am.

*Appendix 1: Summary - National OHS Model Law Update*

*Appendix 2: Thermal Comfort Survey – HBS areas of Building 41 northern wing – Paul Else*
BACKGROUND

- On 4 April 2008, the Minister for Employment and Workplace Relations, the Hon Julia Gillard MP, announced a national review into model Occupational Health and Safety (OHS) Laws.
- The panel has been asked to report to the Workplace Relations Ministers' Council on the optimal structure and content of a model OHS act that is capable of being adopted in all jurisdictions.
- After public consultations, the Review Panel issued two reports, in October 2008 and January 2009, containing recommendations on the content of a national model OHS Act.
- The Workplace Relations Ministers Council – a group of government ministers from the Australian States and Territories and the Commonwealth – has considered the Review Panel's recommendations and has issued a detailed response which sets out the framework of the national model OHS Act.

KEY POINTS

Duty of Care

- **Enhanced duty of care provisions:** These provisions will provide that all persons involved in or materially affected by the performance of work owe a duty of care to all workers and other persons.
- **Unifying the onus:** All persons who operate businesses will be required to do everything that is "reasonable practicable" to ensure a safe workplace. This is in contrast to the current NSW position.
- **Expansion of the workplace:** The duty is not limited to the workplace, but applies to all work activities and work consequences wherever they may occur.
- **Service providers:** The Council rejected the proposal to expand the scope of obligations to include service providers, stating that service providers would fit within the category of a primary duty holder under the current proposals.

Offences

- Prosecutors will bear the onus of proving an offence, beyond reasonable doubt, in contrast to the NSW and Queensland position.
- Under the proposed laws, offences for a breach of duty will continue to be strict liability offences. The WRMC proposed alternative categories of offences as follows:
  - Category 1: for an offence of recklessly endangering a person to risk of death or serious injury at a workplace;
  - Category 2: for circumstances where there was a high level of risk of serious harm but without recklessness; and
  - Category 3: for a breach of the duty without recklessness or high risk of serious harm.
- The penalties proposed by the Review Panel were accepted by the WRMC. The maximum penalties to be imposed include:
  - $3m for a corporation for a category 1 offence;
  - $600,000 for an officer for a category 1 offence; and
  - $300,000 for a worker or other person for a category 1 offence.
- Terms of imprisonment will also be provided for individuals.
- The laws also provide for a system of appeals to the High Court against a finding of guilt in a prosecution.
- Unions will no longer be able to prosecute for breaches of OHS laws.

Domestic premises included in definition of a workplace

- The Council disagreed with the Review's recommendations that domestic premises be excluded from the definition of a workplace, instead finding that workers who work in private homes should be subject to OHS protections.

Prosecution methods

- The Council rejected the Review's recommendation to have the most serious breaches heard by a jury, noting that this would cause "unwarranted" strain on the criminal law system. Rather, each jurisdiction will be able to decide how prosecutions are to be heard. Effectively, this aspect of the law will not be uniform.
Director liability/Due diligence
- While the Council agreed that the laws should place a duty on an officer to exercise due diligence to ensure that the officer's company complies with its duties under the proposed laws, it rejected the Review's suggestion that the concept of due diligence be defined in the model legislation. Rather, the Council agreed that courts continue to evolve the definition.

Consultation
- The Council recognises the importance of consultation in securing safe workplaces by agreeing with the broader consultation requirements which apply between persons conducting a business or undertaking and workers, and also between primary duty-holders and other persons having a duty in respect to the same subject-matter.

Other
- The WRMC supported the introduction of a power to Health and Safety Representatives to issue Provisional Improvement Notices in certain circumstances.
- The recommendation by the Panel that persons conducting a business or undertaking must employ or engage a person to advise on health and safety matters was rejected by the Council.

Where to from here …
- The next key step is the drafting of the model OHS laws by Safe Work Australia Council. Importantly, an exposure draft Bill will be released for public consultation, giving stakeholders a good opportunity to shape the final legislation. This draft will be issued in September 2009 and finalised via agreement by WRMC by 31 December 2009.
- The Council and the Commonwealth have also agreed that the issue of OHS coverage of self-insurers under the Comcare scheme will need to be addressed as part of the OHS harmonisation process. This will be considered at the next Council meeting in June.
- Uniform OHS legislation remains scheduled for commencement by 2011.
- Any Model OHS Act will not have a large impact on the University's self insurance licence as this is governed by the Workers Compensation Act NSW which is outside of the scope of the review.
This survey was conducted to assess the ‘thermal comfort’ of the HBS residents of Building 41 based on referral from various sources to the HBS - Work Advisory Committee.

**Background:** Building 41 (phase II) was completed circa 1996. At the time it was constructed with air conditioning to labs and most teaching spaces (essentially the eastern side of the building). Most central rooms and offices were to be ‘cooled/ventilated’ using a system of vents that recirculated external air into the larger spaces within the building and via a general cross-ventilation.

**The Survey:** A survey of the temperature effects on HBS residents in Bld 41 was conducted between 9-16th February 2009. The survey included an assessment of cooling and ventilation features, room temperature rating, perceived impact on work and health plus invited comments.

One hundred surveys (88 staff and 12 postgraduate students) were returned in five working days. Eighty percent of respondents identified themselves and their rooms.

**Survey Results**

**Ventilation and Cooling Features**

The most common ventilation features were external windows (80%) and ceiling fans (73%). Ten percent of respondents reported windows that opened into the hot interior atrium of Bld 41. Thirty-three percent reported air vents in their rooms but no one mentioned any notable cooling affect. The most common cooling feature was mobile cooling units (31%; but many were no longer working or not used due to excessive noise) followed by air-conditioning (10%).

**Comments:** Included poor window operation, windows opening internally onto hot atrium area, noisy mobile cooling units and general inadequacy of cooling and ventilation. People in air-conditioned areas commonly reported wide temperature fluctuations and frustration at temperature regulation being controlled from Sydney.

**Temperature Rating**

The perceived temperature rating was between ‘often’ or ‘always uncomfortable’ (68%). Twenty-one percent of people classified Bld 41 as unbearable. Seven percent of people rated Bld 41 as ‘always’ or ‘often pleasant’. All of these people (except one) had air-conditioning or a mobile cooling unit. One person without mechanical cooling rated the building as ‘often pleasant’.

**Comments:** Indicated excessive thermal load in Bld 41, particularly in the afternoon, making some areas unbearable. Noisy ceiling fans and mobile cooling units were also noted.

**Work Rating**

Temperature or thermal load in Bld 41 was perceived to; reduce cognition (70%), interrupt work practices (54%), unmotivate (61%) and reduce work performance (71%). Ten percent of people found their work ‘rarely’ or ‘unaffected’ by temperature, 8 out of these 10 worked in air-conditioned areas.

**Comments:** Many people indicated that they avoided hot periods by working from home or seeking out cooler areas (eg library). The general comment was that the heat in the Bld 41 made people hot, tired and lethargic.

**Health Rating**

An average of 3 to 4 health conditions were reported per person in
association with temperature or heat-load in Bld 41. The most common conditions were drowsiness, lethargy, headaches, and dehydration. These conditions were reported by more than 40% of respondents. Mood changes, dry eyes and nausea were reported by more than 20%, and stress plus dizziness by more than 10% of respondents. Only six people reported no health effects. Five of these occupied an air-conditioned environment.

Comments: Included other health conditions, including migraines, heat rashes, profuse sweating, swelling and concerns of women for unborn babies. Again, most people indicated they go home to work if necessary.

Summary of comments on Cost Effective Solutions
The general comment emphasised that Bld 41 was not thermally ‘friendly’ and poorly designed to cope with high environmental temperatures. The building was perceived as holding a high thermal load for a long period of time. Water coolers and improved roof and window insulation may help alleviate but are unlikely to remedy the overall problem of thermal load.

General Comments
One comment that sums it up is from a person with air-conditioning who professed that ‘I would still prefer to be cold than without air-conditioning’.

We would like to thank the 100 people that responded to this survey.
Notable Comments:

• Problems of unprofessional approach when fee-paying students and obesity research subjects in the building over the weekend work when air-conditioning is turned off. Classes have needed to be abandoned and research subjects sent home due to building heat load. Also Problem of garbage smell accumulating in building over weekend.
• Many postgraduate rooms are centrally located have poor air circulation with windows that open into hot atrium areas.
• Jamming photocopiers and machinery failure when temperature reaches over 35°C

Note: Building has a high heat absorbing capacity due to masonary construction (brick and concrete, flat concrete roof, high surface area to volume design and black heat absorbing window frames plus seemingly poor air flow.

Appendix Material

Independent Room/Area Temp Profile measurements made by HBS Students and staff in Building 41

3rd level postgraduate room 2009
24 Jan 2:30pm - 35.5°C by 3:30pm - 36°C
25 Jan 1:24pm - 32°C by 4:15pm – 31.5°C by 10:00pm - 30°C
26 Jan 7:00pm – 30.5°C
29 Jan 8:00am - 29°C
30 Jan 8:30am 29°C

G04 temperature profile 2009

<table>
<thead>
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<th>Time</th>
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<th>22/1/09</th>
<th>23/1/09</th>
</tr>
</thead>
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<td>26.1</td>
<td>27.8</td>
<td>28</td>
<td>30.1</td>
</tr>
<tr>
<td>12:30am</td>
<td>26.3</td>
<td>28.4</td>
<td>28.7</td>
<td>30.1</td>
</tr>
<tr>
<td>2:30am</td>
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<td>28.5</td>
<td>29</td>
<td>30</td>
</tr>
<tr>
<td>4:30am</td>
<td>27.6</td>
<td>28.4</td>
<td>29</td>
<td>30</td>
</tr>
<tr>
<td>Maximum External Daily Temp</td>
<td>29</td>
<td>32</td>
<td>34</td>
<td>34</td>
</tr>
</tbody>
</table>

Temperatures taken in 1997 (Level 2)

On approximately 30 days (January-February 1997) at the beginning of the day 7:30-8:00am building temp was over 21°C on 11 days. By late afternoon was over 30°C on 13 of those days and over 35°C on 7 of those days.