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Grave Safety

CCAWA Seminar 2022

Brad Smith

What we will be covering

- Legislation relating to grave safety
- Grave Safety - What can go wrong?
- Grave Safety – What can we do?



Legislation

Work Health and Safety Act 2020

Department of Mines Industry Regulation and Safety

<https://www.dmirs.wa.gov.au/safety-regulation/introduction-whs-laws>

Excavation Code of Practice

https://www.commerce.wa.gov.au/sites/default/files/atoms/files/code_of_practice_-_excavation.pdf



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New Work Health & Safety Legislation

31st March 2022

Most significant changes

- The new WHS laws are intended to improve the protection of workers by including:
 - modern employment agreements (more than just “employment” arrangements).
 - replacing “employer” with a broader term any ‘person conducting a business or undertaking’ (PCBU).
 - replacing “employee” with a broader term “worker”.
 - new industrial manslaughter and penalty provisions.
 - higher penalties for companies and individuals.



Duty of Care

- ‘Duty of care’ means that employers (PCBU’s), workers, business owners and people in charge of workplaces, as well as upstream duty holders (designers, builders and suppliers) are responsible for making sure that things are safe and looked after properly.
- PCBU’s must meet obligations to ensure the health and safety of their workers and others, such as visitors and volunteers in the workplace.



New Penalties

- This Act will cover all aspects of safety in every WA workplace. It will affect all businesses, but for small to medium businesses, the penalties are high enough to bankrupt them and it will be easier to prosecute individuals.
- Most significant penalty in the entire legislation is the gross negligence / industrial manslaughter penalty.
- The maximum penalty for a company was \$2.7 million. Under the WHS Act this jumps to **\$10 million**.
- The maximum penalty for an individual was \$550,000. Under the WHS Act this is **\$5 million and up to 20 years in prison**.



Grave Safety – What can go wrong

- Grave collapse
- Falls from height
- Slips trips and falls
- Objects falling onto a worker
- Manual handling injuries
- And more...



Grave Collapse can result in death

Company fined after trench collapse tragedy

A civil construction company has been convicted and fined \$550,000 following the death of two workers after a trench collapse at Ballarat in 2018.

<https://www.worksafe.vic.gov.au/news/2021-11/company-fined-after-trench-collapse-tragedy>



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Grave Collapse

“Workers must not be required to work in an excavation 1.5 meters or more deep that is not protected by shoring.” Code of Practice – Excavation 2.4 Hazard Management

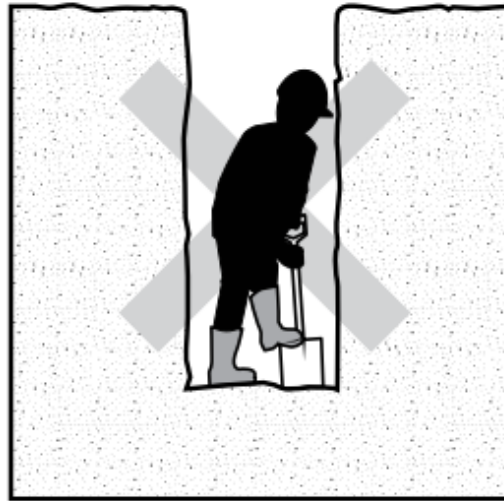


Figure 5 Worker in unsupported trench. Sides of trench need to be assessed by a competent person to be self-supporting.

Grave Collapse

“Workers must not be required to work in an excavation 1.5 metres or more deep that is not protected by shoring.” Code of Practice – Excavation 2.4 Hazard Management



Worker trapped and crushed against the trench wall by the quick collapse.



Worker badly injured and probably smothered after being crushed against the opposite wall by the collapsing ground. The weight of a wedge of sand over a one metre length of trench two metres deep is about three tonnes; more than enough to crush a worker's chest.

Figure 21 Trench collapse and associated ground forces.



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Cemetery worker freed from Eltham grave

A man has been rescued after spending about two hours trapped in a grave at Eltham Cemetery this morning.



The man is believed to have fallen into the two-metre deep grave early this morning. Picture: ABC

Falling into a grave





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Grave Safety – What can we do?

- Assess the Risk
 - And keep a record of it
- Training and Supervision
- Safe Work Procedures
- Shoring
- Grave Surrounds
- Inspections
- Cemetery Design



Risk Assessments

Risk Assessments

- “To ensure appropriate hazard management, an identification of the hazards and an assessment of the risks from these hazards should be carried out in conjunction with safety and health representatives” – Code of Practice – Excavation 2.4 Hazard Management
- Identify the Hazards
- Record the controls
- Reassess the risk

Procedures

Policies and procedures should be developed and implemented for each workplace where excavation work is to be carried out to ensure safe systems of work. These should include:

- hazard identification and risk assessment and control processes
- monitoring performance and reviewing control measures
- mechanisms for consulting with workers
- induction and training programs
- an agreed system for reporting and recording information on identified hazards or other relevant safety and health information
- safe work methods (e.g. job or task procedures)
- ongoing inspection and maintenance programs
- emergency rescue procedures
- review of safety management policies and procedures

Excavation: Code of Practice 2022 1.6 Safe systems of work: workplace policies and procedures

Training and Supervision

- “Employers should ensure a competent person maintains supervision of workers when excavation work is being carried out.” Code of Practice – Excavation 2.2 Training and Supervision
- “A competent person is defined in the Regulations as: ‘one who has acquired through training, qualification or experience, or a combination of those things, the knowledge and skills required to do that thing competently’.”
- Unit of Competency – AHCPGD205 – Prepare a grave site



Shoring



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Questions?

This presentation is available at CCAWA.net
Members area password: H3adston3



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