

Minutes For: BoP Safety Liaison Group Meeting

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| Meeting Number: | 34 | Venue: | RSA (Oak Tree Function Room), Greerton, Tauranga |
| Date: | 19 February 2016 | Time: | 1000hrs |
| Chair: | Deborah Harkin | Minutes: | Chris Graney |

Attendees:

| Name: | Company: |
|----------------|------------------------|
| Scott McLean | Hawkins Construction |
| Deborah Harkin | Harkin Roofing |
| Kevan McCombe | Fulton Hogan |
| Chris Graney | Site Safe NZ |
| Robyn Jensen | JSF |
| Lynne Herring | WBOP DC |
| Rob Kemp | TCC |
| Vanessa Jones | NZL Group/Container Co |
| Gina Espange | Balance Agri Nutrients |

| Name: | Company: |
|--------------------|----------------------|
| Jo Brown | McMillan & Lockwood |
| Terry Murphy | Watts & Hughes |
| Shirley Meredith | Letts Construction |
| Richard Goldthorpe | WBOP DC |
| Mark Lolesi | NZOSL |
| AJ Staples | Hawkins Construction |
| Martyn Round | HADEN |
| Sophie Donnelly | Classic Builders |
| Michelle Kedian | WorkSafe NZ |

Apologies:

| Name: | Company: |
|-----------------|---------------------|
| Arron McCormick | MARRA Construction |
| Peter Musk | ACC |
| Tracy Kelly | Carson Construction |
| Deb Rolls | ACC |
| Seb Allen | Unison |
| David Wilkinson | WorkSafe NZ |

| Name: | Company: |
|----------------|-------------------------------------|
| Paul Johnson | SafetyWorx |
| Darach Cassidy | TCC |
| Greg Gillard | Waste Management |
| Rewi Hamilton | Tower Scaffolding Ltd |
| Mike Way | Way Builders (President WBOP CBANZ) |
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Agenda:

1. Welcome:

| Item | Action |
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| a) The Chair welcomed all to the meeting and thanked them for their continued support. | All |

2. Previous Minutes:

| Item | Action |
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| Item | Action |
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| a) The minutes of the previous held on the 4 December 2015 were read. No outstanding points or actions were noted. | |

Matters Arising from Previous Minutes:

| Item (previous minutes item) | Action |
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| a) None | |

3. Guest Speaker(s):

| Item | Action |
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| a) No one available for the meeting | |

4. General Business:

| Item | Action |
|---|--------|
| <p>a. WorkSafe NZ update. MK advised the group new regulations to accompany the new law change were being finalised and soon to be released. Michelle was asked to respond to a couple questions from AJ & TM.</p> <ol style="list-style-type: none"> 1. Is there any guidance material coming out for notifications? (Also it was asked "what does a notifiable event look like?") <ul style="list-style-type: none"> • I can confirm that there will be guidance coming out on notifications, however since the regulations were only released last week it could be a couple of months before material is released. 2. Will there be a grace period for the new Act? <ul style="list-style-type: none"> • There was talk of a grace period for PCBUs but with the delay of the Act, may have changed this. A position on our enforcement approach is being developed at the moment. I think the general flavour of it is - no there won't be a blanket exemption from the Act when it comes into force (the law is the law) but in our enforcement we will be mindful of the fact that some duties are new and people will need time to get up to speed on them (but also some duties are no different from the duties in the current legislation and people should be doing these things now). A position statement should be coming out soon clarifying this for inspectors which we can communicate to interested parties. <p>Guidance notes on Notifications have been issued and are attached with the minutes. A link is attached for the release of 8 position papers for information covering the following items:</p> <ul style="list-style-type: none"> • <u>WorkSafe Position on Officers' Due Diligence</u> • <u>WorkSafe Position on Overlapping Duties</u> • <u>WorkSafe Position on Upstream PCBUs</u> • <u>WorkSafe Position on the Health and Safety of Volunteers at Work</u> • <u>WorkSafe Position on Occupational (work-related) Health</u> • <u>WorkSafe Position on Duties Relating to Other People at Work</u> • <u>WorkSafe Position on Worker Engagement, Participation and</u> | |

| Item | Action |
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| <p><u>Representation</u></p> <ul style="list-style-type: none"> • http://www.business.govt.nz/worksafe/information-guidance/all-guidance-items/position-statements <p>Contact number for anyone wishing to contact WorkSafe NZ ... 0800 030040.</p> <p>b) ACC update. No one available for the meeting. ACC Employers seminar Tuesday 1 March 2016 ASB Baypark for anyone interested in attending please contact ACC to book a place.</p> <p>c) Site Safe update. CG advised the group the Site Safe SSSP commonly used around the construction sector was being redeveloped to reflect the new law change and would be released through the membership base and still free to download from the website. 2 versions available interactive PDF to complete on screen through a phone or tablet. Or printable PDF version to download and handwrite.</p> <p>d) General discussion: RJ raised a point around standardisation of safety documentation and the frustrations as different work sites required the same information but delivered in a differing format.</p> <p>e) MB & RK mentioned pre-qualification was being requested more commonly now, with TCC and other councils following pre-qualification routes with all council engaged sub-contractors.</p> <p>f) SD raised the point around what's classed as a work place and how vehicles fit into this area. GE passed in some guidance information around this point and is listed below:</p> <p>If you New Zealand strictly followed the ILO convention C155, then commuting incidents are work related. However in NZ we have the ACC process. With the ACC there are two avenues of funding that provide for the ACC dollars. One from workplace (ACC employer levies for each employee) and one for roading (Levies from vehicle insurance, registration, fuel charges etc). As a result most roading (commuter) incidents are not included in workplace statistics. But like most of NZ legislation there are exceptions. They are:</p> <ol style="list-style-type: none"> 1. If you are travelling to and from your normal place of work in your private car; It is not work time and any incident is not work related. (not internally recordable) 2. If you are travelling to work in your private vehicle to a place other than your normal place of work: Then it is work time from the moment you leave home and any incident is work related. (Work related and recordable in workplace statistics) 3. If you are travelling in the course of your work (eg to a meeting or an audit etc) regardless of whether you are in a private vehicle or a work vehicle: It is work time and any incident is work related. (Work related and recordable in workplace statistics) 4. If you have a company car as part of your salary package and you have full unrestricted use of the vehicle stated in your package; Then the rules above for a private vehicle apply. (could be one or the other) 5. If you have a company vehicle and you have restricted use (eg a pool car or you just take the vehicle solely to and from home and work because there is no-where safe to store it at work): Then you are on company time the whole time you are using the vehicle and any incident is work related. Note in | |

| Item | Action |
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| <p style="color: red;">this case, if the user is using the vehicle outside of their authorised use, then they are unlawfully converting the vehicle and are not acting on behalf of the company and are not authorised – therefore not work related, but may involve disciplinary actions for other reasons. (Work related and recordable in workplace statistics)</p> | |
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5. Recent Accidents/Incidents/Prosecutions :

| Item | Action |
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| a) Construction workplace fatalities and injury rates are listed on the WorkSafe NZ website for anyone wishing to access the information. | All |
| b) The latest Prosecutions can be viewed on line under Media releases at www.business.govt.nz/worksafe/ | All |

7. Other Business:

| Item | Action |
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| <p>a) Future meetings for 2016 are as follows; please make a note for your diary. Meeting diary requests will be sent in future so dates can populate well in advance to aid attendance planning.</p> <ul style="list-style-type: none"> • Friday 15 April 2016 • Friday 17 June 2016 • Friday 19 August 2016 • Friday 21 October 2016 • Friday 9 December 2016 | All |

Meeting Close: 11:45 hrs

Next Meeting:

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|------------------------|----------------|-----------------|--------------|
| Meeting Number: | 35 | Venue: | TBC |
| Date: | 15 April 2016 | Time: | 1000hrs |
| Chair: | Deborah Harkin | Minutes: | Chris Graney |