

National Irish Safety Organisation

Update!



*NISO is a not-for-profit voluntary body,
dedicated to the promotion of health
and safety in Irish workplaces*

SPRING 2012

INSIDE

**INTOXICANTS IN
THE WORKPLACE**

**NISO REGIONAL
OFFICERS 2012**



**JOURNEY
TO GOAL
ZERO**

National Irish Safety Organisation

Update!

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*Pauric Corrigan, president,
National Irish Safety Organisation*



NISO President Reports

This time last year, with both the UK Government and Europe looking at reducing the burden placed on businesses by current health and safety legislation and standards, it was stated that one should be asking the question, will current health and safety legislation and standards be maintained? The National Irish Safety Organisation (NISO) will continue to support and work to maintain standards in health and safety in the workplace.

NISO is also at this time asking crucial questions about who will replace the FÁS safe pass and the construction skills certification scheme (CSCS)? At present CSCS is accredited by FETAC. Both FETAC and FÁS have contributed to safety awareness in the workplace and especially within the construction sector.

Safety quiz

Regional heats of the annual NISO/NISG safety quiz have now been completed. The successful previous entrants and novice teams from each of the regional heats will go forward to represent their companies and regions in the All Ireland Safety Quiz Final, to be held in the Radisson Blu Hotel, Athlone, on Saturday 21 April 2012. This year's quiz final will be hosted by the midland region. The final will consist of a table quiz format which will be less stressful on participants as there are no individual questions.

The NISO Annual General Meeting (AGM) will take place on Saturday 21 April 2012 at 12 noon in the Radisson Blu Hotel, Athlone, prior to the All Ireland Safety Quiz Final. I look forward to seeing many members at our AGM as this is an important meeting on the NISO calendar.

Safety awards

The All Ireland Safety Awards celebrates its twenty-first year in 2012. The launch of the NISO/Northern Ireland Safety Group (NISG) Annual Safety Awards brochure and application took place on 18 January last in the Sheraton Hotel, Athlone, this was followed by a safety awards workshop. Workshops were also held in Cork, Waterford, Gormanstown and Belfast. These workshops have proved to be of great benefit to those companies making submissions. This year NISO and NISG launched a dedicated website for the All Ireland Safety Awards. All information, brochures and applications related to the awards, along with a dedicated FAQ's section, can be downloaded from the safety awards website: safetyawards.ie.

The NISO annual conference and safety awards presentation dinner, hosted by the north west region, will take place in the Radisson Blu Hotel, Sligo, on Friday 5 October 2012. The theme of this year's conference is *Health is Our Wealth*, as in previous years, a panel of renowned speakers will address the conference delegates. The Health and Safety Authority has confirmed their support and participation in this year's conference once again.



Visit www.niso.ie to download previous copies of the NISO Update!

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Analysis of Work Related Vehicle Fatalities

The report, *Analysis of Work Related Vehicle Fatalities 2010*, created by the Health and Safety Authority (HSA), shows that of the 48 work related deaths reported to the HSA in 2010, 17 deaths involved work related vehicles. 12 of these deaths were workplace transport deaths and 5 were work related road safety incidents.

The report shows that tractors were the main vehicle type involved in vehicle work related deaths in 2010, accounting for 42% of all deaths. In more than half of the deaths involving tractors, the victim was aged 60 or over.

Other findings include that of the 12 workplace transport deaths, half of the victims were in control of the vehicle whilst the other half were pedestrians. A quarter of the victims were killed within an hour of starting work and in 75% of the cases the victim was only working at the accident location less than a month.

The *Analysis of Work Related Vehicle Fatalities 2010* report can be downloaded from the HSA website: www.hsa.ie.

DATES FOR 2012

NISO AGM

Radisson Blu Hotel, Athlone,
21 April

NISO/NISG All Ireland Quiz Finals

Radisson Blu Hotel, Athlone,
21 April

All Ireland Safety Awards Entries Deadline

3 May

Annual Health and Safety Conference and Awards Presentation

Radisson Blu Hotel, Sligo,
5 October



2012 World Day for Safety & Health at Work

The International Labour Organization (ILO) celebrates the World Day for Safety and Health at Work on 28 April 2012.

The world day will promote the prevention of occupational accidents and diseases globally. It is an awareness-raising campaign intended to focus international attention on emerging trends in the field of occupational safety and health and on the magnitude of work-related injuries, diseases and fatalities worldwide.

28 April is also a day in which the world's trade union movement holds its International Commemoration Day for Dead and Injured Workers to honour the memory of victims of occupational accidents and diseases and organise worldwide mobilisations and campaigns on this date.

For further information on World Day for Safety and Health at Work, visit the ILO website: www.ilo.org.

Irish confident health & safety issues will be addressed despite stress concerns

Nine out of ten workers in Ireland are confident that a health and safety problem raised with their supervisor in their workplace would be addressed (89%). However, 69% of Irish people expect job-related stress to rise over the next five years.

The findings are revealed in a pan-European poll on occupational health and safety carried out by Ipsos MORI on behalf of the European Agency for Safety

and Health at Work (EU-OSHA), which involved 35,540 workers in 36 countries.

It found that 77% of workers across Europe think work-related stress will increase over the next five years, with Greece (93%) and Bulgaria (87%) being particularly high.

In Ireland, around four in five people agree that workplaces need to follow good health and safety practices in order to be

economically competitive (83%). This is broadly in line with the European average (86%). While nine in ten Irish people believe good health and safety practices are important to enable people to work for longer before they retire (89%), again in line with the average across Europe (87%).

For further information on the pan-European poll on occupational health and safety, visit the EU-OSHA website: www.osha.europa.eu.

Chemicals Inventory

The European Chemicals Agency (ECHA), has launched a public classification and labeling (C&L) inventory on its website. This inventory is a database containing information on the hazards of more than 90,000 substances available on the EU market.

The information has been received through over 3 million submissions made by the European chemicals industry, including many Irish companies, to the ECHA. The

publication of the C&L inventory is a significant step forward towards achieving transparency on the physical, health and/or environmental hazards of chemicals. It represents the largest database of classified substances within the EU today and is unique in the world in terms of its scope.

The C&L inventory is available to view at the ECHA website: www.echa.europa.eu.



HSA Public Consultation

The Health and Safety Authority (HSA) requests comments and observations on the draft *Safety, Health and Welfare at Work (Prevention from Sharps Injuries in the Hospital and Healthcare Sector) Regulations*.

The principal objective of the proposed regulations is to transpose Directive 2010/32/EU of the European Parliament and of the Council of 10 May 2010 on

implementing the Framework Agreement on prevention from sharp injuries in the hospital and healthcare sector concluded by the European Hospital and Healthcare Employers' Association (HOSPEEM) and the European Federation of Public Services Unions (EPSU).

The draft regulations can be accessed and downloaded from the HSA website:

www.hsa.ie. The closing date for receiving submissions is 5.00 pm on Monday 7 May 2012. Submissions can be made via the HSA website.



Injuries Board Annual Review 2011

Figures released in the Injuries Board Annual Review 2011, show that compensation totaling €210 million was awarded in 2011 in respect of 9,833 personal injury claims. This is an increase from 2010, when the Board made 8,380 awards to the value of €186.63 million. The average award in 2011 was €21,339. During the year the Board made an award of €829,444, its highest to date.

Over three quarters of awards (76.5%) in 2011 were for injuries from road traffic accidents while the remainder were split between workplace (8.4%) and public place (15.1%) accidents. The average employers' liability (EL)

and public liability (PL) awards continued to fall in 2011. Since 2008 the average EL award has fallen by 16%, from €32,266 to €27,102, while the average PL award has fallen by 8.4%, from €24,769 to €22,686.

For further information on the Injuries Board Annual Review 2011, visit the Injuries Board website: www.injuriesboard.ie.

Raising the bar on the journey to Goal Zero

Developing a safety culture is important for all engineering projects, no matter how big or small. Recognising the changing approach to safety within the industry over the years, Brendan Butler, deputy project director on the Corrib Gas Project, speaks of his approach to developing and maintaining a strong safety culture through visible leadership.



Brendan Butler, deputy project director, Corrib Gas Project

As someone who has worked in the oil and gas industry for almost 30 years, I believe that achieving an impeccable health and safety record on a project boils down to two key elements: leadership and culture.

Culture is the overall belief system and atmosphere you want to create among staff, contractors, suppliers and visitors alike so that thinking health and safety first becomes instinctive. Creating such a culture can only be achieved through leadership from the very top. Having a strong team of health and safety professionals is essential and will bring you a long way, but unless they are fully supported by management, the right culture will fail to materialise. Being fully supported means being backed in executing work in the safest possible manner and having this built into the schedule and cost projections. After studying Electrical Engineering in UCD, I joined

Shell in 1985 and my first real job was as mechanical maintenance supervisor of a small gas platform in the Dutch Sector of the North Sea. Back then I had no real sense of the important role safety and safe-working practices would play in my career as an engineer. There simply was not the same emphasis on safety that we see today. Over the years numerous new regulations and pieces of legislation relating to safe practices in the workplace, particularly relating to construction sites, have been introduced and, gradually, these have helped to improve the overall awareness of the importance of safety.

Corrib Gas Terminal

On joining Shell E&P Ireland Limited (SEPIL) in August 2007, I was given responsibility for the design and construction of the Corrib Gas Terminal. Corrib, like many other infrastructural projects, presented challenges in ensuring work was carried out in a safe manner. At that time, when several hundred people were employed, a large number of different contractors were working on the project, each with their own set of work practices and procedures. Getting each of them, and all of their employees, to conform to a single system took time, patience and perseverance. The location of the project in a rural area, coupled with the sometimes severe weather conditions of the west of Ireland and added to the

challenging working environment we were faced with. All of these challenges could only be overcome by promoting and developing a culture of safe working through leadership – and that is what I and my team set about doing. Safety performance within Shell is measured in hours worked without an incident leading to time off work due to injury. Back in 2007, there were six lost time incidents and several road accidents involving workers on their daily commute.

Life-Saving-Rules

There was scope for improvement and we set about achieving this. Dedicated health and safety plans were introduced for all areas of work, Shell's 12 Life-Saving-Rules (which apply globally and are designed to support the company's goal zero policy of no harm to staff and contractors) were rolled out internally as well as with contractors. Recognising the particular exposure on the roads with so many workers commuting every day, a series of road safety initiatives were introduced by the road safety taskforce. These included defensive driver training for all workers on the project, car-pooling incentives as well as the distribution of winter driving kits.

For me, though, moving in the right direction from a safety perspective meant

displaying visible leadership. So, in addition to an increased emphasis on planning and training, we employed other techniques to drive home the message. One of these was the use of regular site stand downs, during which everyone on site stopped working for up to half a day in order to attend a workshop on safety. We introduced a safety intervention system, empowering staff and contractors to intervene if they believed something unsafe was being done or was about to be attempted. We initiated an incident investigation process, whereby every incident and near miss was thoroughly investigated and corrective measures taken to prevent a recurrence.

In all of these initiatives, the focus was always on improving, empowering and developing a new culture; it was not on finding someone to blame. I led from the front and, with the support of our excellent HSE team and all of my leadership team, we gradually began to see a real culture of safety, underpinned by personal responsibility, taking shape.

Since then, workers at the terminal have, on four separate occasions, reached one million man hours worked without an incident leading to time off work.

This culture has also extended to our other areas of work, including the safe

execution of the offshore pipelay in 2009 and some site investigation work in Sruwaddacon Bay ahead of an oral hearing for the onshore pipeline in 2010. In 2011 workers across the whole project reached a landmark 365 days worked without an incident. Our contractors are now also recognised for their high standards of safe working practices and many have achieved accreditation in the area of health and safety, as well as winning contracts elsewhere in the world on the back of their strong record on Corrib.

New challenges

In August 2011, I took over as deputy project director. With construction of the terminal almost complete and the offshore pipeline laid, the focus now is on construction of the onshore section of pipeline, including a tunnel of almost 5km, mostly under Sruwaddacon Bay. This work presents new challenges, as there are a number of work sites and different technology that is new to this project being used on some aspects of it. But, while we will never become complacent about safety, I know we are in a

much stronger position starting this phase of work than we were in the early days of construction on the terminal.

We have a stronger HSE team than ever, we have a system of line management responsibility for HSE within work teams, we have effective processes in place for managing health and safety and we have an impressive record behind us. Most importantly, however, we have a culture in place: a culture in which everyone takes personal responsibility for health and safety within

their area of work, whether that is sitting at an office desk, driving a truck or managing a site.

We believe that goal zero is possible. People do not purposely injure themselves or others; every accident is preventable and every accident is a failure in leadership at some level.

For me, HSE is a value to live by and not simply a priority. My first role as a leader is to instil this same value in those around me.

NISO Regional Officers 2012

The following is a list of National Irish Safety Organisation (NISO) regional officers for 2012. NISO urge all members to be active within their region and encourage regular communication between members and their regional committee members.

East Region

Chairperson

James McConnell

Vice Chairperson

Hugh McNally

Secretary

Hilary Mooney

Treasurer

Des Brandon

To contact the NISO eastern region, please email: east@niso.ie

Midland

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John Flanagan

Vice Chairperson

Chris McCormack

Secretary

Mary Rooney

Assistant Secretary

Gerry Brennan

Treasurer

Bertie Guinan

Public Relations Officer

John Henson

Development Officer

Seán Reidy

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Midwest

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Trevor Montgomery

Vice Chairperson

Des McNamara

Secretary

Philip Thornton

Treasurer

Bill Kelly

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North East

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Secretary

Patrick Donnelly

Treasurer

Karl McKeivitt

To contact the NISO north east region, please email: northeast@niso.ie

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Vice Chairperson

Maria Sweeney

Secretary

Ray Sweeney

Treasurer

Ann Scanlon

Assistant Treasurer

Martin Shields

Public Relations Officer

Nigel Ashcroft

To contact the NISO north west region, please email: northwest@niso.ie

South East

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Liam Walsh

Vice Chairperson

Ann O'Keeffe

Secretary

Philip O'Keeffe

Treasurer

Liam Tobin

Public Relations Officer

Conor Coughlan

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South

Chairperson

Michael O'Neill

Secretary

Cecelia Healy

Treasurer

John Collins

To contact the NISO south region, please email: south@niso.ie

West

Chairperson

Pauric Corrigan

Vice Chairperson

Basil Tuke

Secretary

Carol Madden

Treasurer

Colman Shaughnessy

Public Relations Officer

Liam O'Carroll

To contact the NISO west region, please email: west@niso.ie

Catherine O'Loan, business development executive at Randox Testing Services, writes on intoxicants in the workplace.

Alcohol and drug abuse is a growing problem in our society. Substance misuse has a huge impact on business in both financial and legal terms. An estimated €527 million is lost on alcohol-related absenteeism and accidents in the workplace each year. Misuse of alcohol or drugs can impair an individual's ability to perform even normal, routine tasks and it also affects their ability to interact socially. This will impact on all areas of their lives and their workplace is no exception.

The fact that the majority of substance abusers (74%) are in full time employment makes the management of substance misuse in the workplace a priority for all HR and occupational health professionals. Drug use can affect an employee's performance at work and their ability to carry out a whole range of work-related tasks and functions. Given the increasingly widespread availability of alcohol and drugs, companies need to understand and deal with the potential impact of substance abuse.

Absenteeism

Drug and alcohol abuse is a major cause of employee absenteeism, accidents, negligence, poor productivity and overall dissatisfaction within companies worldwide. It has been reported that alcohol is implicated in 60% of all workplace accidents, with a total of 25% contributed to drug and alcohol abuse collectively. Drug and alcohol abuse puts you, your employees and the profitability of your business at high risk. A recent study by the Department

of Health found that 28% of respondents in Ireland and Northern Ireland aged 15-64 years reported taking an illegal drug at some point in their life.

It is not only your employee's welfare that is affected by this issue. The law also has strict procedures relating to drug and alcohol abuse in the workplace. The SHWW Act 2005 includes a number of general duties for employers and employees. The Act places a duty upon employers to ensure, so far as is reasonably practicable, the safety and health of employees. Equally, the Act outlines the duty of employees to co-operate with their employer and, under the Act, must not be under the influence of an intoxicant to the extent that the state he or she is in may endanger his or her own safety, health or welfare at work or that of others.

It is an offence for employees to carry out, and for employers to allow employees to carry out, safety critical work while under the influence of drugs or alcohol. If an employee causes an accident at work it will not only have a negative impact on them but it will also impact on the whole company. The SHWWA 2005 requires employers to ensure the safety, health and welfare at work of their employees and to assess the risks to the safety and health of employees. Employers have an important role and responsibility in ensuring worker safety in a drug-free workplace.

Drug and alcohol policy

These negative effects can be prevented through the introduction of a drug and

alcohol policy. International research supports a positive attitude towards alcohol testing in the workplace. A large study (n=6,370) found that 65% of respondents supported pre-employment testing, 81% supported testing after an accident and 49% supported random testing. This support was fairly consistent across hierarchy (managers, supervisors and workers).

Screening

It is a general consensus that such a policy should include screening. Screening comes in three forms; pre-employment, random and with-cause. All three should be accompanied by education and training to ensure employees are aware of the effects of drug and alcohol abuse and its impact on the workplace. It is estimated that about 20,000 workplace drug tests are performed in Ireland, of which 50% are pre-employment, 30% post-accident/suspicion and 20% random.

An effective screen will test for the abuse of multiple drugs and alcohol. Drug tests should include amphetamine, methamphetamine, barbiturates, benzodiazepine, cannabinoids, cocaine metabolite (benzoylecgonine), methadone, opiates, phencyclidine, ketamine, buprenorphine, oxycodone, hydromorphone, fentanyl, propoxyphene, methaqualone, LSD and ecstasy (MDMA).

To successfully tackle the issue of substance misuse in the workplace, employers must put in place a robust drug and alcohol workplace policy. An effective drug and alcohol policy



Catherine O'Loan, business development executive, Randox Testing Services

will protect your employees from the dangers of drug and alcohol abuse, whilst also improving your profitability and overall success. Drug and alcohol screening is a valuable component of this policy.

The current position for employers

Every organisation should consider putting in place a clear policy on the use of intoxicants in the workplace where such a policy does not already exist. A drug and alcohol policy provides a framework to address drug and alcohol issues in a supportive way, while complying with responsibilities in relation to health and safety.

Research suggests that people do not develop alcohol and drugs problems independently of everything else that is happening. It is important for employers to be aware of the wider causes and contexts of problematic substance abuse. Having an agreed intoxicant policy in place means that employee incidents involving intoxicants, even if isolated, can be adequately addressed and the potential difficulties of an ad-hoc response avoided.

Update from the Health and Safety Authority



Darren Arkins,
senior inspector, HSA

The Health and Safety Authority (HSA) continues to observe examples of poor practice in relation to managing potential exposures to asbestos where demolition, refurbishment and maintenance activities are undertaken. In this article, Darren Arkins, senior inspector and head of the occupational hygiene unit with the HSA, provides some practical advice to those who have duties under the Safety, Health and Welfare at Work Act 2005 and the Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006 & 2010 (hereinafter the asbestos regulations)

Horse before the cart!

It is critical that information on the presence of asbestos containing materials is available well in advance of the planning or construction phase of a project. Too often this is not the case with resulting inadvertent and totally avoidable exposures, increased project costs, delays and unnecessary

pressure on asbestos removal contractors and ancillary services such as scaffolders and asbestos analysts.

The asbestos regulations require employers, through risk assessment, to identify and determine the condition of asbestos containing materials (ACMs) prior to any work activity, which may disturb such ACMs causing exposure to workers and others in the vicinity of that work. One must also consider the requirements of section 15 of the 2005 Act, which applies to those in control of premises, such as a client under the construction regulations or a landlord. Where demolition, refurbishment or maintenance work are to be carried out, the person in control of the premises should possess information on the presence and condition of ACMs at those premises. This information can then be provided to those employers or representatives (e.g. PSDP, PSCS, specialist asbestos contractor, other contractors, etc.) who can fulfill their obligations under regulation 12 of the asbestos regulations.

Asbestos surveys

The current best practice standard for asbestos surveys is the UK Health and Safety Executive guidance document *HSG 264: Asbestos: The Survey*

Guide. It describes two types of asbestos surveys: management and refurbishment/demolition surveys.

The asbestos regulations use the term maintenance activities, which could be interpreted as simply changing a light bulb. Therefore, it is recommended that as a minimum a management asbestos survey be conducted to provide baseline information on the majority of ACMs at a workplace. This survey will only identify the majority of ACMs present, as its purpose is to locate, as far as reasonably practicable, the presence and extent of any suspect ACMs in the building which could be damaged or disturbed during normal occupancy, including foreseeable maintenance and installation activities.

Management asbestos surveys will involve sampling and analysis of suspect materials and may also require a certain amount of intrusive inspection depending on what is reasonably practicable. Materials can also be presumed to contain asbestos with sampling deferred to a later date (e.g. confirmation of asbestos content prior to refurbishment work). This is not recommended from a longer term management perspective and deferment will not assist with accurate material assessments as

described in the next paragraph.

Materials assessment

The surveyor must provide a materials assessment for each confirmed/presumed ACM which will assess:

- product type (e.g. cement sheeting),
- amount of damage or deterioration (e.g. low, medium, high),
- surface treatment (e.g. none, sealed, etc.),
- asbestos type (e.g. white, blue or brown asbestos).

Each parameter is scored between 1 and 3 and all four parameters are then added together. ACMs with material assessment scores of 10 or more are rated as having a high potential to release fibres if disturbed. Scores of between 7 and 9 are regarded as medium potential, and between 5 and 6 as low potential. Scores of 4 or less have a very low potential to release fibres.

A priority assessment looks at the following: the location of the ACM, the extent of the material, the use to which the location is put, the occupancy of the area, the activities carried on in the area and the likelihood/frequency with which maintenance activities are to take place. The surveyor can collect a certain amount of this information on behalf of the client but will rely on the client for more definitive estimates. The

results of the combined material assessments and priority assessments should be used to establish the priority ratings for those ACMs needing remedial action and the type of action that will be taken.

Management survey

A management survey should involve inspecting areas such as under floor coverings, ceiling voids, lofts, inside risers, service ducts, lift shafts, basements, cellars, underground rooms, etc. Where it is agreed that it is not reasonably practicable to access an area, this must be unambiguously indicated in the asbestos survey report. All such areas must be clearly marked as 'asbestos presumed to be present – further investigation required'.

A refurbishment/demolition (RD) survey is a full access, sampling and identification survey prior to major disturbance of the building fabric. It requires access to all areas including parts of the structure or voids not accessed under a management survey and essentially builds on the information already available. In particular it may require inspection of sandwich partitions, chasing of concrete wall and floors to locate possible lagged pipes, cavity inspections, access above slab ceilings, etc. RD surveys should only be conducted in unoccupied buildings or areas where any inadvertent disturbance of ACMs can be fully contained. It is also important to note that an asbestos surveyor may also require the assistance of an

asbestos specialist contractor for controlled access activities.

Clients are sometimes disturbed by the extent of these destructive inspections and it is normally a failure by the surveyor at planning stage to illustrate clearly what is actually involved.

This type of survey is required to locate all ACMs but it is acknowledged that a surveying firm will not encounter some ACMs (e.g. asbestos cement shuttering below concrete), therefore RD contractors must be made aware of this potential and have basic asbestos awareness knowledge to halt work in the event of subsequent ACMs being identified.

Contingency should be allowed for such eventualities especially in buildings built between the 1960s-1980s. However, further occurrences of ACMs should always be limited and justifiable for not being previously identifiable.

The before and after!

The quality and completeness of a management or RD survey depends on the success of the planning phase (or contract review) between client and surveying organisation. Unfortunately, this key phase is usually poorly executed by both parties leading to substandard or incomplete asbestos surveys. Quality also depends on the quality assurance procedures of the surveying firm and the competency of the surveyor. Chapter 2 of HSG 264

provides advice for clients when determining the competency of surveyors/surveying firms. Please note there is currently no legal requirement to hold independent accreditation of quality assurance procedures for asbestos services in Ireland.

The contract review should involve in most cases a pre-site meeting to confirm the scope and type of survey, possible limitations, access requirements, report format and deadlines, existing building information, site plans and site safety matters. Clients should pay particular attention to the proposed time allocated for site inspection and should make reasonable enquiries as to its appropriateness. For example, does a half-day to conduct a RD survey of a multi-building site on 100 acres seem achievable?

Following a survey, the client will receive a survey report and asbestos register. The quality and format of these can be variable between surveying firms. It is important for the client to request an example report when tendering for survey work and be satisfied with the proposed quality and presentation of survey results. Chapter 6 of HSG 264 provides a good overview of the contents of an asbestos survey report.

Another aspect, which is of concern to the HSA, is the level of caveats presented in reports

such as 'we don't survey above 3 metres', 'we are not responsible for any omissions' or 'we did not remove access panels with more than 6 screws', etc. Caveats should be limited, fully justifiable, agreed with the client and documented in the report in a separate section.

Due to obvious constraints, this article was unable to cover in detail all aspects and guidance on asbestos surveys. The reader is urged to download and review a copy of *HSG 264: Asbestos: the Survey Guide* from the UK HSE website for comprehensive guidance on both asbestos survey types. The advice in this article does not constitute a strict legal interpretation of the 2005 Act or asbestos regulations.

For further details or if you have an asbestos query, please contact the HSA's chemicals helpdesk at: chemicals@hsa.ie. If you would like to receive a copy of the draft asbestos guidelines once available, please email: darren_arkins@hsa.ie.



IOSH Ireland branch marks three decades of preventing workplace injury and ill-health.

The Institution of Occupational Safety and Health (IOSH) Ireland branch has been working to reduce fatalities and incidents of injury and ill-health in workplaces around the country for three decades now. An event at Fingal County Council in January began a programme of sector specific events for 2012, dedicated to sharing and developing best practice techniques that will further improve health and safety in farming, forestry and fishing, healthcare settings, the construction industry and a host of other areas.

Founded in 1982 with just a handful of members, IOSH Ireland branch now has over 1,700 members, all of whom have roles in safety, health and environment.

Branch chair Declan Gibney said, “It’s safe to say that real progress has been made in preventing injuries and ill-health in our workplaces since IOSH Ireland branch first began. But while vast improvements have been made across most industries, even one person who does not return home from work at the end of their day is too many, so the target we aim for has to be zero”.

Workplace fatalities

Over the last 10 years, there has been a small drop in workplace fatalities, from 61 in 2002, compared to 55 at the end of 2011. In that same period there have also been significant reductions to the death toll of every industry bar one - forestry,

farming and fisheries. Commenting on this drop, Gibney added, “This speaks volumes that the important health and safety message of risk management, protection and safe working practices is getting through. However, over the decade, deaths in farming, forestry and fishing have increased by nearly a third, from 14 to 22. This is an area our members want to make a real difference in and our hope is that in the next 30 years, we can make the same progress here as with other industries”.

Economic climate

As Ireland continues to struggle through recession, IOSH is pushing the message to company directors that health and safety not only protects lives, but makes huge cost savings by increasing productivity, reducing lost time, streamlining work methods and limiting costly legal bills.

According to Gibney, “The current economic climate has brought change and challenges to businesses and individuals. Cuts to budgets and staffing levels have increased the pressure on workers, with worries about unemployment and debt adding to the potential causes of ill-health. At the same time, many businesses may be tempted

to reduce health and safety budgets in a bid to save jobs, but this is a false economy. Improving workplace health can increase productivity and efficiency, with obvious benefits for businesses and the economy as well as for employees and their families”.



Carl Anders, health and safety executive at IBEC, writes on portable electrical equipment testing.



Carl Anders, health and safety executive, IBEC

Ever since the announcement of the initial changes in draft format back in 2005, employers linked the impending portable appliance testing requirement as the testing of everything from their photocopiers to lamps on desks. This, of course, simply was not the case when the regulations appeared. However, in some areas this concept has remained.

With the release of the General Application Regulations back in 2007, it was apparent that the new standard was not as prescriptive as some of the preconceptions lead people to believe. The devil is in the detail.

The first issue to understand is that the UK has had standards for portable appliance testing for a number of years. Over time, the view was that this might be good practice for employers in Ireland. However, the legislative standards that exist in the UK are not directly comparable to the new standards in Ireland. In fact, the management of portable

electrical equipment within the scope of the new regulations need not involve any external party; it is something that most employers should be able to use existing internal resources, even with issues such as the actual testing.

Legal overview - portable equipment

Part 3 of the *Safety, Health and Welfare at Work (General Application) Regulations 2007*, details the systems and provisions that must be in place in order for employers to manage the risks from electricity and electrical equipment.

However, within these provisions, there are separate terms, each with their own specific application and scope. The specific terms used throughout the regulations are:

- electrical equipment,
- electrical installation,
- portable equipment.

Portable equipment has a very specific definition and this is where this legislation differs greatly from the UK legislation. Just because a certain piece of electrical equipment is portable (i.e. it can be moved), does not mean it is 'portable equipment' under the regulations. Only portable equipment that meets the specific definition under the regulations needs to be under an inspection and testing regime.

Within the regulations, it is only portable equipment when:

'(a) because of the manner in which it is to be used, requires to be moved while it is working, (b) is designed so that it can be moved while it is working, or (c) is moved from time to time between the periods during which it is working'.

For example, a desktop computer is portable in the sense that you can move it to an alternative desk.

However, it is not required to be moved while it is working, it is not designed to be moved while it is working and as long as it remains on the same desk and is not used on a variety of desks and it is not moved from time to time between being used, a desktop computer is not portable equipment.

Employers can easily assess their own electrical equipment and use these criteria to see if it is portable equipment. If it does not meet any of the three points above, then in the context of the regulations, it is not portable equipment. There is no need for a third party to complete this evaluation for employers.

Testing and inspection

Following the analysis of the equipment described above, you will now have a list of all equipment that is 'portable equipment' under the regulations. Even at this

point, it does not necessarily mean that all these items are to be subjected to a formal system of inspection and testing.

Where the regulations reference inspection and testing, it also provides a further filter on the equipment falling into this category. Simply, if there is no significant risk of injury to the employee from using the equipment (based upon the dangers of electricity), then it will not need to be inspected and tested under these regulations.

The exact criteria for assessment are:

- is it powered by a voltage greater than 125V alternating current, and,
- is it exposed to conditions causing deterioration liable to result in danger.

The key factor here is that both conditions have to be met rather than just one of the two. So if the equipment is powered by under 125V, then even if it is exposed to deteriorating conditions, it does not require testing and inspecting.

This will bring employers back to risk assessment. If any of the portable equipment, previously identified, is battery powered or runs from 110V current, then it does not need testing or inspecting under the electrical provisions. Again, this evaluation does not require any greater electrical knowledge or competency than being able to read

information from a label on the equipment.

For all equipment that is powered by a current greater than 125V, even then it may not require testing unless it is also exposed to conditions causing deterioration. The first aspect with this requirement is the phrasing of the legislation. It is saying that the equipment is actually exposed to the conditions that cause deterioration, not could be exposed or likely to be exposed.

This part of the risk assessment may require some knowledge of health and safety issues in relation to electrical equipment, in particular what conditions cause deterioration of electrical equipment. However, internal, competent advisors for health and safety would have an understanding of this.

The decision on whether a piece of equipment is portable equipment and whether it meets the conditions for testing and inspection, is a process employers can go through themselves without any need for external assistance. Once the process has been completed, you will have a list of the equipment that requires testing and inspecting, at this point the temptation is to hand over this process to a third party. However, even something as seemingly complex as testing and inspecting electrical equipment can be completed by internal resources.

Competent employees

Within the legislative system for health and safety there are

several terms used for what is checking the integrity of equipment and systems. As with many aspects of the law, each term places a different onus on the level of checking and therefore the individual competency required to complete the checking.

In relation to portable electrical equipment, the regulations require that where certain conditions are met, three types of checks must be carried out on portable equipment:

- visual check,
- inspection, and,
- testing.

It should also be noted that there is a fourth term used in conjunction with some other forms of lifting equipment, that of 'thorough examination', however, this high level form of checking does not apply to electrical equipment.

Visual check

By its very nature, a visual check will be a relatively quick and simple check for any obvious signs of wear and tear or damage to the portable equipment. A visual check could be specific with set criteria to check against, or it could be a less formal system whereby employees check the equipment before use and then report any faults. The type and intensity of a visual check will depend on the nature of the risk and the likelihood of the fault occurring with that particular equipment. Given the relatively simple nature of the check and that it only establishes obvious signs of damage; the visual check can be completed by non-electrical specialists and

users. This would have to be following a system of training and information in what the checking is for and how to complete the visual check.

Inspection

The term 'inspection' does not have any specific legislative definition, however, its use within legislation suggest that it is a more formal and thorough check than a visual check, but one that does not involve any detailed or technical examination (i.e. testing). The extent of the inspection will depend on the risks and nature of the equipment that is in use. However, unlike the less formal visual inspections, this will require a more detailed look at the equipment and a more detailed description of its condition, again this could be in the form of a checklist.

An inspection will not require additional equipment to test the electrical integrity of the portable equipment and it may not require any additional tools to open the portable equipment, therefore this means that, in general, non-electrical specialist employees can conduct the inspections. As long as employers provide employees with appropriate training, employees may be competent to complete these inspections.

Testing

'Testing' implies that some physical means of checking the electrical integrity of the equipment is required. Where certain conditions are met, the regulations require that all portable equipment is subject to testing by a competent person. However,

as stated previously, the nature and extent of any testing will be conditional on the actual risk and the use of equipment. In some cases, it may be possible to combine the inspection and the testing schedule.

For larger and more complex equipment, such as welding equipment, testing units in garages, etc., the testing will need to be completed by a competent electrical specialist. However, for smaller equipment this process could be relatively simple and not involve a great degree of opening the equipment.

Even in situations where the use of testing equipment is required, it would be a relatively simple process to train employees in the use of the testing equipment and make them competent to complete the testing on most portable equipment. Modern testing equipment is easy and simple to use and as employees are trained in the safe use and in the interpretation of the results, they would not need any in-depth knowledge of electrical engineering.

Conclusion

In the majority of cases, each and every requirement in relation to your portable electrical equipment is manageable using internal resources. This will involve some additional training and instruction, along with formal procedures and systems.

Help on manual handling instruction, safety representation training and construction.

Brian O'Connor answers members' queries.

Question 1

I am a manual handling instructor and need to renew my certificate. I understand the manual handling instructor course is now a FETAC level 6 course. Can you please tell me when the deadline is to bring oneself up to the FETAC level 6 standard and how to achieve the FETAC level 6 award for manual handling instruction?

Answer 1

An instructor who has previously attended a manual handling instructor course must achieve the FETAC level 6 award in manual handling instruction. There are two options available for current manual handling instructors to achieve the FETAC level 6 award: through the recognition of prior learning (RPL) process, or through

attending a five day FETAC level 6, manual handling instructor course.

RPL requires existing instructors to submit a portfolio of evidence that can be assessed against the standards in the awards. The assessment process will include practical skills demonstration(s) and a theory test to demonstrate competence. RPL can only be offered by registered FETAC providers approved to offer RPL for these awards.

As per the Health and Safety Authority (HSA), the phase in period for manual handling instructors to bring themselves up to the FETAC level 6 standard will continue until December 2012. The FETAC level 6 award is an award for life so there is no need for recertification once you have received the award. However, it is advised that instructors maintain their continuous professional development in order for them to maintain their competence and to remain up to date with ongoing developments in the area of manual handling.

For further information on the new manual handling training system, please view the HSA website:



Brian O'Connor, health and safety specialist, National Irish Safety Organisation

www.hsa.ie. To view a list of FETAC registered providers and a list of RPL providers, visit the FETAC website: www.fetac.ie.

Question 2

I have just become the safety representative for our company. Can you please tell me what training requirements are needed to become a safety representative?

Answer 2

The safety representative must attend training in order to acquire the knowledge and skills necessary to perform their role effectively as safety representative. As per the *Safety, Health and Welfare at Work Act 2005*, an employer shall give to a safety representative such time from his or her work as is reasonable, without loss of remuneration, to allow the safety representative to attend such training.



The course content for training safety representatives and safety committee members is detailed in Annex 2 of the *Safety Representatives and Safety Consultation Guidelines*. The ten elements included in this training are:

- safety and health legal system,
- role of the safety representative and safety committee members in the safety consultation and participation process,
- communication skills for the safety representative and safety committee members,
- hazard identification and carrying out risk assessments,
- preparing and implementing the safety statement,
- carrying out safety and health inspections,

- accident investigation, recording and analysis,
- sources of safety and health information,
- risk control and safety and health management at work,
- course follow up.

The level of detail to be addressed in the course will depend on the size, level of risk, degree of complexity and level of development of the safety and health management in the workplace. Even for lower-risk workplaces, the training course should last at least three days, with practical sessions to demonstrate the issues under study.

For further information on safety representation, please view the *Safety Representatives and Safety Consultation*

Guidelines. This document is available to download from the Health and Safety Authority website: www.hsa.ie.

Question 3

I am a block layer and am currently working on the extension of a domestic dwelling. There is an overhead electricity line close to the extension that will pose a risk during construction. Goal posts and/or requesting the ESB to temporarily turn off the electricity will solve the problem, however, I have worked on many construction sites before and have never had to deal with this problem myself. My question is, should the homeowner not be responsible for this task?

Answer 3

When a homeowner is commissioning or undertaking construction work on a domestic dwelling, they are not a client under the construction regulations. Therefore, the specific responsibilities of a client as per the construction regulations do not apply to the homeowner. However, people employed by the homeowner will have to comply with their duties under the construction regulations.

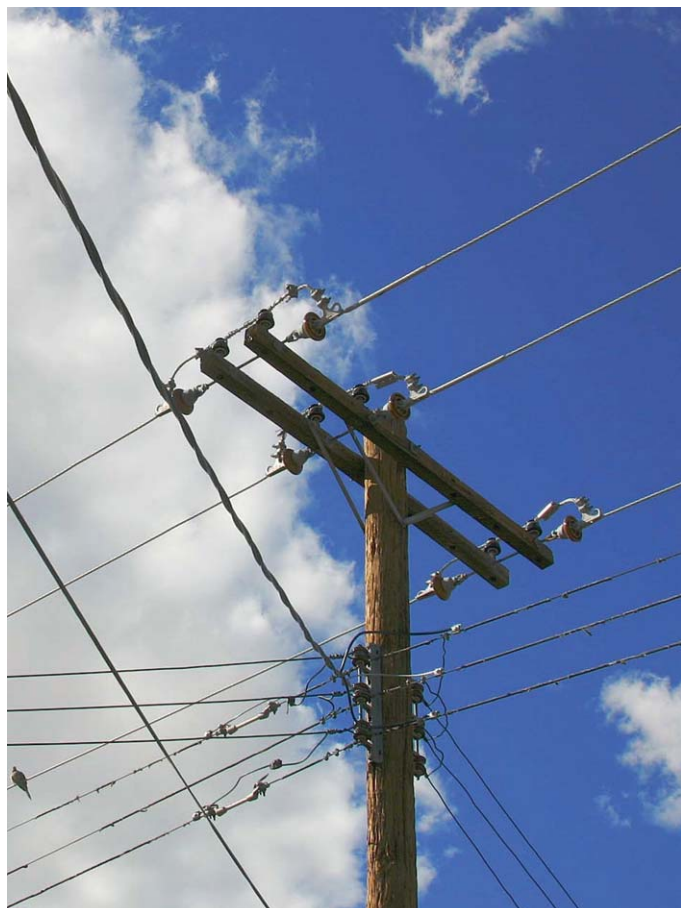
If the homeowner was extending the property for business purposes then they would be considered a client and would have to appoint project supervisors. If a project

supervisor for the construction stage (PSCS) was appointed then they would have identified the hazards and eliminated the hazards or reduced the risk during construction.

Some homeowners would employ a building contractor to oversee all contractors during construction. However, in this case it appears that the homeowner is carrying out construction work by direct labour which is perfectly acceptable. As a contractor, you have to eliminate the hazards or reduce the risks during construction. Therefore you are responsible in this scenario to coordinate control measures in order to ensure that the overhead electricity line does not pose a risk to you or your employees.

The majority of homeowners would like to see work carried out safely so I would recommend that you speak to the homeowner in relation to the electricity line and the coordination of control measures.

For further information on duty holders under the construction regulations, please view the *Summary of Key Duties under the Procurement, Design and Site Management Requirements of the Safety Health and Welfare at Work (Construction) Regulations, 2006*. This document is available from the Health and Safety Authority website: www.hsa.ie.





Ted O'Keeffe, operations manager, National Irish Safety Organisation

New Irish legislation and information guides December 2011 - March 2012

Statutory Instruments

European Communities Mercury (Export Ban and Safe Storage) Regulations 2012 (S.I. No. 27 of 2012)

These regulations lay down the rules and penalties applicable to infringements on exports of metallic mercury and certain mercury compounds and mixtures and the safe storage of metallic mercury. The regulations were signed by the Minister for the Environment, Community and Local Government on 26 January 2012. It requires that certain data is sent to competent authorities as outlined in the regulations by 1 July 2012.

Road Traffic (Weight Laden of 5 Axle Articulated Vehicles) Regulations 2011 (S.I. No. 654 of 2011)

These regulations provide that, until 31 December 2014, the weight laden of a combination of a 2 axle tractor unit and a 3 axle semi-trailer may exceed 40 tonnes but shall not exceed 42 tonnes. These regulations were signed by the Minister for Transport, Tourism and Sport on 15 December 2011.

European Union (Stage II Petrol Vapour Recovery during Refuelling of Motor Vehicles at Service Stations) Regulations 2011. (S.I. No. 687 of 2011)

These regulations introduce measures aimed at reducing the

amount of petrol vapour emitted to the atmosphere during the refuelling of motor vehicles at service stations. These regulations were signed by the Minister for the Environment, Community and Local Government on 15 December 2011.

Dangerous Substances (Retail and Private Petroleum Stores) (Amendment) Regulations 2011 (S.I. 712 of 2011)

The Dangerous Substances (Retail and Private Petroleum Stores) (Amendment) Regulations 2011, which were signed by the Minister for Jobs, Enterprise and Innovation on 22 December 2011.

The legislation listed can be downloaded from the NISO website: www.niso.ie, under Resources / Recent Legislation.

Publications, Guides and Information

Definition of Construction Work

The Health and Safety Authority (HSA) has produced a guide to the definition of construction work, revision 2012. The guide provides an understanding of the legal definition of 'construction work' as set out in the *Safety, Health and Welfare at Work (Construction) Regulations 2006*.

Guidance on the Purchase of New Machinery

The purpose of this guidance produced by the HSA is to assist those who specify and purchase machinery in relation to the associated safety and

health issues which need to be considered.

Upper Limb Disorder in the Financial Sector

A new publication published by the HSA seeks to prevent employees who work at computer workstations from developing upper limb disorders.

Internet and Video Resources

Survivors Stories - Initiative to cut farm accidents

Survivors Stories is a series of testimonials, available on DVD and online, where farmers

explain how their accidents occurred and talk about the impact on their families and friends.

Vehicle Safety Pre-Checks

The HSA, Road Safety Authority and An Garda Síochána have developed resources to help employers manage vehicle risks. They include vehicle check posters, check sheets and videos.

The listed guides, information and codes of practice are available from the HSA website: www.hsa.ie.

Latest Statistics

The latest workplace fatality statistics as of 17 April 2012 show there were 14 fatalities so far this year compared with 54 for the whole of last year. Albeit early in the year, the statistics show fatalities at a similar level to last year, however, the high level of fatalities involving fishermen may skew the comparison somewhat.

Employment Sector	2012	2011	2010	2009	2008
A-Agriculture, forestry and fishing	8	27	29	13	22
B-Mining and quarrying	0	1	0	2	1
C-Manufacturing	0	2	2	1	6
D-Electricity, gas, steam and air conditioning supply	0	0	0	0	
E-Water supply, sewerage, waste management and remediation activities	0	3	2	0	2
F-Construction	4	6	6	10	15
G-Wholesale and retail trade; repair of motor vehicles and personal goods	2	2	4	2	3
H-Transportation and storage	0	7	3	6	3
I-Accommodation and food service activities	0	1	0	1	0
J-Information and communication	0	0	0	0	0
K-Financial and insurance activities	0	0	0	0	0
L-Real estate activities	0	0	0	0	0
M-Professional, scientific and technical activities	0	2	0	1	1
N-Administrative and support service activities	0	0	0	1	0
O-Public administration and defence; compulsory social security	0	1	0	2	1
P-Education	0	0	0	2	0
Q-Human health and social work activities	0	1	1	1	0
R-Arts, entertainment and recreation	0	1	1	0	1
S-Other service activities	0	0	0	1	2
Total fatalities	14	54	48	43	57

Source: www.hsa.ie

National Irish Safety Organisation Events Diary



Please keep an eye on our website: www.niso.ie for forthcoming courses in 2012.

1. Courses scheduled at NISO Training Centre, Ballymount, Dublin 12

Safety and Health at Work,
D20165, FETAC Level 5
(Course Length: 10 weeks,
Tuesdays from 2pm - 6pm, plus a
1.5 hours exam)
Commences 9 October 2012

Safe Pass Course
(Course Length: 1 day)
27 April / 11 May / 25 May

**Health and Safety Representation
Course, L22487, FETAC Level 5**
(Course Length: 3 days)
TBC

**Manual Handling Instructor
Course, 6N0233, FETAC Level 6**
(Course Length: 5 days)
TBC

VDU/DSE Assessors Course
(Course Length: 1 day)
28 May
Basic Manual Handling Course
(Course Length: Half day)
23 May 2012

Occupational First Aid Course,
FETAC Level 5
(Course Length: 3 days)
TBC

2. Courses and events nationally

EAST REGION

**Making Use of SDSs &
Labelling to Manage Hazardous
Chemicals**
3 May 2012

MIDLAND REGION

**Course: NISO Introduction to
Occupational Safety and Health**
Venue: Athlone Institute of
Technology
(Course Length: 13 weeks,
Mondays for 2 hours)
Commencing date to be
confirmed
Contact: midland@niso.ie

MIDWEST REGION

**Course: NISO Introduction to
Occupational Safety and Health**
Venue: Limerick Institute of
Technology
(Course Length: 13 weeks,

Tuesdays for 2 hours)
Commencing date to be
confirmed
Contact: midwest@niso.ie or
[www.lit.ie/
LifelongLearning/Courses/](http://www.lit.ie/LifelongLearning/Courses/)

NORTH EAST REGION

**Course: NISO Introduction to
Occupational Safety and Health**
Venue: Dundalk Institute of
Technology
(Course Length: 13 weeks,
Tuesdays for 2 hours)
Commencing date to be
confirmed
Contact: email
northeast@niso.ie

3. National Events

**NISO/NISG All Ireland Quiz
Finals**
Venue: Radisson Blu, Athlone, Co
Westmeath
21 April 2012

NISO Annual General Meeting
Venue: Radisson Blu, Athlone, Co
Westmeath
21 April 2012

**NISO Annual Conference and
Trade Exhibition**
Venue: Radisson Blu, Sligo
5 October 2012

**NISO and NISG Health and
Safety Awards Ceremony**
Venue: Radisson Blu, Sligo
5 October 2012

4. All Ireland Safety Awards

**All Ireland Safety Awards
Entries Deadline**
3 May
For further information,
please visit:
www.safetyawards.ie



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