

NISO Safety Observer  
November 2018; Issue 36

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Newsletter of the National Irish Safety Organisation

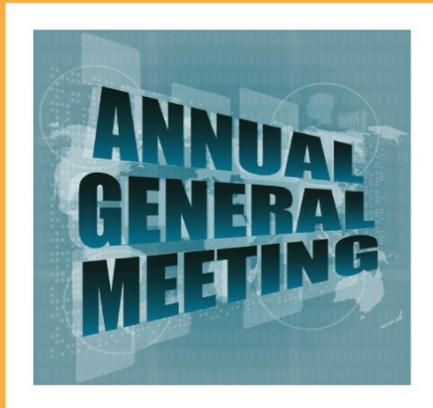
November 2018 - Issue 36

Welcome to the November 2018 edition of **The Safety Observer**, the newsletter of the National Irish Safety Organisation. The Safety Observer contains information that is current, informative and useful to subscribers. We keep you up to date on what is happening in occupational safety and health. NISO Update, the quarterly magazine, was circulated on 7 November 2018 last and the next edition for NISO members is scheduled for mid January 2019. The last edition of Safety Observer was distributed on 3 July 2018.

## SUBSCRIBE TO THE NISO MAILING LIST

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All Ireland  
**Occupational  
Safety Quiz**

## **NISO NEWS**

### **NISO Regional AGMs**

The regional Annual General Meetings of the National Irish Safety Organisation will be taking place during December 2018 and January 2019.

Find out about your regional AGM [HERE...](#)

### **All Ireland Occupational Safety Quiz 2019**

Quiz Season is here again and the Regional Heats will be kicking off around the country from March 2019! Now is a good time to get your quiz team together and start preparing to become the 2019 All Ireland Occupational Safety Quiz Champions!

Find out more [HERE...](#)

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\*Corporate members only

In this issue... Safety news... Fatalities & Accidents... In the Courts... Inquests... Statistics... Training and Events...

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## **IRISH NEWS**

### **Personal injury payouts four times higher in Ireland than in UK**

Payouts for personal injuries in Ireland are on average 4.4 times higher than in the UK, an analysis of the insurance payouts in both jurisdictions has found. While it was known that the payouts for injuries by Irish courts was higher, the difference of more than four times the average was unanticipated.

<https://goo.gl/Rce1R6>

### **Law approved to stop bypassing of injuries board**

The Cabinet has approved new legislation to stop claimants deliberately bypassing the Personal Injuries Assessment Board (PIAB) in a bid to have their cases heard in court. Claimants, particularly those who exaggerate or make false claims, are often eager to have their cases heard in court where awards tend to be higher and legal costs are paid.

<https://goo.gl/f27opg>

### **“Linking farm safety to EU payments will save lives”**

A senior inspector with the Health and Safety Authority has recommended that farm safety should be linked to CAP payments in order to save lives. To date this year, there have been 17 agriculture related fatalities in Ireland.

<https://goo.gl/ZUQKdW>

### **New Code of Practice for Chemical Agents**

Pat Breen, Minister of State for Trade, Employment, Business, EU Digital Single

Market and Data Protection, has announced the publication by the Health and Safety Authority (HSA) of a revised Code of Practice for the Safety, Health and Welfare at Work (Chemical Agents) Regulations. The new 2018 Code of Practice, published on 21 August, includes the most up-to-date OELVs (occupational exposure limit values) for over 700 chemical substances, and details of probable future changes to OELVs.

<https://goo.gl/Uwynqi>

## **UK NEWS**

### **Liverpool director jailed after worker killed in workplace accident**

A Liverpool-based waste and recycling company has been fined and its director jailed after the death of a 39-year-old worker. The company was fined £700,000 and ordered to pay costs of £99,886,57 and its director was sentenced to eight months in prison. The deceased was killed while he was trying to remove a blockage in a defective baling machine. The company continued to use the machine in a dangerous manner for up to five years following this fatal accident.

<https://goo.gl/yaovBY>

### **Online retailer accused of treating staff like “robots”**

An American online retailer has been accused of treating its UK warehouse staff like robots after it emerged that ambulances had been called out to its warehouses 600 times over a three year period.

<https://goo.gl/ouhfm5>

### **Waste and recycling fatalities 16 times higher than other industries**

The latest figures for fatal injuries at work reveal that the waste industry remains one of the most dangerous sectors to work in, with 16 times more fatalities in 2017/18 than the average across all industries.

<https://goo.gl/UN5bqP>

### **Food firms in UK could face stiffer sentences after manslaughter case**

Food businesses in the UK that take no action to manage allergens could face stiffer sentences in future a judge warned as she jailed two takeaway bosses for the manslaughter of a 15-year-old girl.

<https://goo.gl/Tfo5qy>

## **EUROPEAN NEWS**

### **Cancer is the leading cause of work-related deaths in the EU**

Every year in the EU, about 120,000 people will develop cancer as a result of exposure to carcinogens at work. Approximately 80,000 of them will die every year from work-related cancer. Behind these stark statistics lie the human costs of lives devastated and potential unfulfilled.

<https://goo.gl/8ZFMRQ>

## **GENERAL SAFETY NEWS**

### **New bill would ban tattoos and intimate piercings for under 18s**

Legislation has been introduced to ban tattoos and intimate piercings for people under the age of 18. The Regulation of Intimate Piercing and Tattooing Bill 2018 has been brought forward by the Fianna Fáil public health spokesperson who hopes that this bill would also help strengthen health and safety regulation in the sector.

<https://goo.gl/X7SYzF>

### **Almost 40 killed or injured in quad bike accidents in four years**

Almost 40 people were killed or injured in crashes involving quad bikes or scramblers over a four-year period. The Road Safety Authority (RSA) has said more than 40% involved in this type of accident were aged 18 or under. The RSA and An Garda Síochána are warning that children should not be given the vehicles as Christmas presents.

<https://goo.gl/Stbxhs>

### **Man killed by exploding electronic cigarette in US**

An electronic cigarette exploded and killed a man in Florida in what appears to be the first death attributed to vaping products in the United States. The medical examiners office confirmed that the death was caused by a “projectile wound to the head”.

<https://goo.gl/quqb13>

## **FATALITIES AND ACCIDENTS**

### **Man dies following incident at airport**

A man, believed to be in his 60s, has died following an incident at an Irish airport. The man was taken to hospital following the incident and was

pronounced dead later the same day. An Garda Síochána and the HSA are investigating the circumstances surrounding the incident.

<https://goo.gl/1KEHMj>

#### **Man killed in Co. Monaghan farm accident**

A man in his 70s has died after falling into a slurry pit on a farm in Co. Monaghan. He was pronounced dead at the scene. The HSA is investigating the fatality.

<https://goo.gl/TWQEPY>

#### **Man killed in workplace accident in Dublin docklands**

A man, believed to be a Filipino national, has died after a container collapsed on top of him while he working in Dublin's docklands. It is believed the man was "lashing and securing" multiple containers together on the dock when the accident happened. An Garda Síochána and the HSA have launched investigations into this incident.

<https://goo.gl/38jY5k>

#### **Woman found dead after Galway farm accident**

A 54-year-old woman has died in a farm accident in Co. Galway after sustaining fatal injuries while tending to her cattle. The HSA is looking investigating the incident as a workplace accident.

<https://goo.gl/iP2EF2>

#### **Elderly man dies in Co. Kerry farm accident**

A man in his 90s died following an accident on his farm in Co. Kerry. It is believed he was operating farm machinery at the time of the accident. An Garda Síochána attended the scene and the HSA has been notified of the incident.

<https://goo.gl/KR188c>

#### **Elderly farmer killed in Co. Laois farm accident**

A man in his 80s has died following an accident on his farm in Co. Laois. It is understood that the accident involved a tractor. An Garda Síochána and the HSA are investigating this fatality.

<https://goo.gl/EdCjun>

#### **Father-of-five killed in Co. Offaly farm accident**

A father-of-five has died after he was seriously injured by a bull on his farm in

Co. Offaly. It is understood that the man was trampled while tending to the bulls on his farm. An Garda Síochána the HSA are investigating the tragedy.

<https://goo.gl/votKSa>

### **Man dies in farm accident in Co. Galway**

A 73-year-old man has died following an accident on a farm in south Co. Galway. It is understood the man had been driving a tractor when he sustained fatal injuries. The Health and Safety Authority has been notified and will investigate the circumstances surrounding the incident.

<https://goo.gl/jb1XVB>

### **Father-of-one killed in Co. Tipperary farm accident**

A father-of-one has been killed following a “freak accident” on his farm in Co. Tipperary. The 47-year-old was using a digger when he was hit by a falling tree. He was pronounced dead at the scene. The HSA is investigating the incident.

<https://goo.gl/jXAQjM>

### **Farmer dies following fall from height in Co. Waterford**

A 52-year-old man has died after falling from a ladder while repairing a roof on the family farm. He was pronounced dead at the scene. The HSA is investigating the accident.

<https://goo.gl/xWZZDF>

### **Two injured in chemical incident in laboratory**

Two female employees have been injured in a chemical incident at a laboratory in Waterford. One of the staff members was admitted to hospital for treatment and the other was discharged after a precautionary examination.

<https://goo.gl/zxH2We>

## **IN THE COURTS**

### **Company fined €100k for safety breaches that caused man’s death**

A Co. Meath company has been fined €100,000 over safety breaches that caused the death of a man within hours of starting his first day at work almost three years ago. The deceased was helping to hold a heavy metal press in place as it was being moved “slowly and steadily” on a forklift when the press fell onto him. The driver of the forklift had received inadequate forklift training. The company director admitted to failing to have a safe system of work in place

at their premises at the time of the accident.

<https://goo.gl/CHN7ZM>

### **Chef who cut hand while oyster shucking awarded €75K**

A chef who cut her hand as she shucked an oyster in a restaurant has been awarded €75,000 by the High Court. The plaintiff sustained a very deep laceration to her left hand as she was opening an oyster with a knife. She later had to have surgery and was in a cast for several weeks. She claimed there was a failure to ensure there were proper tools or knives available for the specific task of oyster shucking and in particular failing to supply such a tool to her. The judge granted a stay providing €50,000 which was paid out immediately.

<https://goo.gl/CAxxDq>

### **Retired garda awarded €9k for injuries suffered during arrest**

A retired garda has been awarded €9,000 compensation by a High Court Judge for injuries to his lower back and right leg, suffered in assisting the arrest of a violent drunk. During the arrest the garda had been knocked to the ground, injuring his lower back and right leg. He was off work for four months as a result and continues to endure pain in his right leg.

<https://goo.gl/vZsSG2>

### **Hospital worker wins landmark appeal over workplace bullying**

A supervisor who was intermittently bullied by the staff she supervised has been successful at the Court of Appeal in overturning the decision to dismiss her case for damages. According to the plaintiff's solicitors, the verdict extends the law on employer liability in relation to employees and imposes a higher duty of care on employers. The plaintiff claimed that the incidents of unacceptable behaviour were perpetrated by fellow employees under her supervision and that when she complained to her superiors no action was taken. The case, which had originally been heard at the High Court, was dismissed. The three-judge Court of Appeal later overturned the dismissal of the High Court.

<https://goo.gl/yFMkLn>

### **Mayo-based company pleads guilty to H&S breaches following fatality**

A Mayo-based company has pleaded guilty at the Circuit Criminal Court to health and safety charges arising from the death of one of their employees in an accident involving a stone crusher more than three years ago. The judge

stated that it was “really disturbing” that this accident could have “so easily been avoided” with a few simple, inexpensive steps. The judge adjourned sentencing until 30 January.

<https://goo.gl/2AX4SY>

### **Business executive awarded €7.5k for out-of-hours work emails**

A business executive has been awarded €7,500 over being required to deal with out-of-hours work emails, including some after midnight, that led to work in excess of 48 hours a week. Her employer has been ordered to pay the plaintiff €7,500 for repeated breaches of the Organisation of Working Time Act.

<https://goo.gl/A65XZC>

### **Garda awarded €8k in downward “recalibration” of personal injury awards**

A High Court judge has awarded €8,000 compensation to a garda for a soft tissue shoulder injury, not the €20,000 sought, in line with a downwards “recalibration” of personal injury awards in certain cases by up to 50 per cent.

<https://goo.gl/vb5cXG>

## **INQUESTS**

### **Second man had narrow escape in accident that killed farmer, inquest hears**

An inquest has heard how a second man could have lost his life in a farmyard crush accident that claimed the life of a farmer in Co. Clare last year. The deceased had employed the survivor of the accident to assist him with spreading slurry on his land. In his disposition, the contractor said that the two were standing behind the slurry tank as his tractor and tank was filling up with slurry. As his tank was reloading with slurry he ran out of the way of his tractor and tank as it rolled down the hill. He shouted at the farmer to move out of the way but he did not manage to move in time. The inquest found that the cause of death was severe head, neck and vertebrae injury secondary to massive blunt force trauma.

<https://goo.gl/QQFCZW>

### **Farmer suffered catastrophic head injuries, inquest hears**

A 58-year-old farmer suffered catastrophic head injuries after he sustained a suspected kick from a cow, an inquest has heard. The farmer was securing his

cows in a cattle pen on his farmyard in Co. Roscommon when the accident happened last year. The incident was not witnessed. The cause of death was crania-cerebral trauma, according to the post-mortem. The jury returned a verdict of accidental death.

<https://goo.gl/NDsPZf>

### **Man died in forklift crush tragedy at warehouse, inquest hears**

A 33-year-old delivery driver was crushed by a forklift as he walked through a warehouse waiting to load construction materials, an inquest has heard. A post-mortem found he had suffered extensive crush injuries and bruising to his neck, back and shoulders, scrapes to his upper and lower limbs, rib fractures and a lung laceration. The cause of death was traumatic chest injuries due to a crushing incident. The jury returned a verdict of death by misadventure.

<https://goo.gl/4EMNmQ>

### **Garage owner was crushed beneath car while changing tyre, inquest hears**

A 75-year-old garage owner died after he was crushed beneath a car while changing a wheel. The deceased spent a week in hospital following the accident in which he sustained catastrophic crush injuries. A two-tonne hydraulic car jack was being used to perform the operation under the car, however, the jack had been gradually losing height over a period of time due to a small oil leak within the mechanism. The coroner returned a verdict of death due to an industrial accident.

<https://goo.gl/E4fr1J>

### **Farmer died during effort to rescue calf after cliff fall**

An 82-year-old farmer suffered catastrophic head injuries when a rope snapped and he fell more than 40ft from a cliff top while trying to rescue a calf with his neighbours near his home in west Cork, an inquest has heard. The deceased and his neighbours were trying to hoist the fallen calf up the cliff when a rope snapped, causing the deceased to lose balance and fall off the cliff. The coroner returned a verdict of accidental death.

<https://goo.gl/VVQsMf>

## **PUBLICATIONS**

### **2018 Code of Practice for the Chemical Agents Regulations**

This Code of Practice came into operation on 21 August 2018 and from that date it revoked and replaced the 2016 Code of Practice for the Chemical Agent Regulations which was issued in accordance with the Safety, Health and Welfare at Work Act 2005.

<https://goo.gl/ZNkdJQ>

## **RESOURCES**

### **How can dangerous substances be managed?**

A prevention culture must be created to successfully prevent the ill health, injuries and deaths caused by dangerous substances in workplaces across Europe. Everyone involved must be aware of the risks and committed to managing or preventing these. Here is guidance from the EU-OSHA on how to manage dangerous substances.

<https://goo.gl/2RkJyY>

## **RESEARCH**

### **Work stress raises risk of premature death in vulnerable men**

A major study has found that men with diabetes or heart disease who are under “job strain” have a 68% higher risk of early death. A major study into the impact of work stress on health has revealed dramatic differences in the rates of premature death between different groups of men, and between men and women, depending on existing medical conditions.

<https://goo.gl/bYVhFe>

## **LEGISLATION UPDATE**

### **Publication of the Personal Injuries Assessment Board (Amendment) (No. 2) Bill 2018**

The Personal Injuries Assessment Board (Amendment) (No. 2) Bill 2018 was published earlier this year. The purpose of the Bill is to strengthen the Personal Injuries Assessment Board (PIAB) in order to ensure greater compliance with the PIAB process and encourage more claims to be settled through the PIAB model.

<https://goo.gl/MbV1vv>

## STATISTICS

Thirty-nine people have been killed in workplace accidents since 1 January 2018 - Correct at 19 November 2018.

<https://goo.gl/441bBj>

## SAFETY TIDBITS

### Top 40 most bizarre H&S rules as voted by British workers

A recent UK-based survey has found more than a third of respondents believe the health and safety laws in their workplace are too strict. The survey of 2,000 workers also found one in five are not allowed to change light bulbs in their workplace. Not being allowed to give a colleague a paracetamol, filling out a form to use plasters and a ban on birthday cake candles are among rules that were voted "most bizarre".

<https://goo.gl/ibXje1>

## MCIB REPORTS

Report into the fatal incident on the "MFV Endurance" approximately 200 nautical miles off the south west coast has been published by the Marine Casualty Investigation Board.

<https://goo.gl/qssyGV>

Report into the fatal incident on the "FV Cu Na Mara" Approximately 130 nautical miles west of Sea Head has been published by the Marine Casualty Investigation Board.

<https://goo.gl/qssyGV>

Report of the investigation into a fatal incident on board the "MV European Endeavour" has been published by the Marine Casualty Investigation Board.

<https://goo.gl/8XfnMR>

Report of the investigation into a fatal incident involving "MV Shanie Boy" has been published by the Marine Casualty Investigation Board.

<https://goo.gl/Ja5zFg>

## **TRAINING AND EVENTS**

### **NISO Training Centre, Dublin 12**

**All courses listed below available to be delivered in-house, nationwide, on request**

[Safety Representation](#), NISO Certificate (2 day); 10-11 December [Book now](#)

[Manual Handling Basic](#), NISO Certificate (half day); 13 December [Book now](#)

[Risk Assessment - Basic Concepts](#), NISO Certificate (2 day); 21-22 January [Book now](#)

[Health and Safety Representation](#), QQI L5 (4 day); 28-31 January [Book now](#)

[Manual Handling Instruction](#), QQI L6 (5 day); 7,8,9 and 13, 14 May [Book now](#)

### **Regional Courses**

[NISO Certificate in Health, Safety and Welfare at Work](#), (13 wks/2 hrs p/wk)

[Limerick: Limerick IT, Moylish Campus](#); Commencing 29 January 2019 [Book now](#)

[Westmeath: Athlone IT](#); Commencing 4 February 2019 [Book now](#)

[Mayo: GMIT Castlebar Campus](#); Commencing 12 February 2019 [Book now](#)

[Dublin: NISO Training Centre](#), Dublin 12; Commencing 19 February 2019 [Book now](#)

[Waterford: Waterford IT](#); Commencing spring 2019

[Kerry: Tralee IT](#); Commencing spring 2019

### **National Events:**

#### **NISO Regional Annual General Meetings (AGM)**

[NISO North West Region](#) [covering counties Donegal, Leitrim, Sligo]

3 December 2018; 19:30hrs.; Mill Park Hotel, Donegal Town

[NISO Western Region](#) [covering counties Galway, Mayo, Roscommon]

3 December 2018; 19.00hrs; Oranmore Lodge Hotel, Oranmore, Co. Galway

[NISO North East Region](#) [covering counties Cavan, Louth, Meath, Monaghan]

14 January 2019; Crowne Plaza Hotel, Dundalk, Co. Louth

[NISO South Eastern Region](#) [covering counties Carlow, Kilkenny, Tipperary South, Waterford, Wexford]

15 January 2019; Venue and Time TBC

[NISO Mid West Region](#) [covering counties Clare, Limerick, Tipperary North]

17 January 2019; 20.00hrs; Greenhills Hotel, Ennis Rd, Limerick

[NISO Midland Region](#) [Covering counties Laois, Longford, Offaly, Westmeath]

23 January 2019; 19.30hrs; Creggan Court Hotel, Athlone, Co. Westmeath

[NISO Eastern Region](#) [covering counties Dublin, Kildare, Wicklow]

24 January 2019; 17.00hrs; NISO Training Centre, Ballymount, Dublin 12.

National NISO Annual General Meeting: April 2019

(Date and Venue TBC)

#### **All Ireland Occupational Safety Quiz - Regional Heats**

[Learn More](#)

[NISO Western Region](#)

5 February 2019; Oranmore Lodge Hotel, Oranmore, Co. Galway

[NISO Midland Region](#)

13 March 2019; 20.00hrs; Bridge House Hotel, Tullamore, Co. Offaly.

[NISO Eastern Region](#)

14 March 2019; 19.00hrs; The Gresham Hotel, Dublin 1

[NISO North East Region](#)

14 March 2019; 20.00hrs; The Errigal Hotel, Cootehill, Co. Cavan

[NISO Mid West Region](#)

21 March 2019; 20.00hrs; Greenhills Hotel, Ennis Rd, Limerick

[NISO South Eastern Region](#)

26 March; Venue TBC

[NISO Southern Region](#)

28 March 2019; 20.00hrs; Radisson Blu Hotel, Little Island, Co. Cork

[NISO North West Region](#)

Date and Venue TBC

[NISG Northern Ireland](#) Fermanagh, Tyrone]

Date and Venue TBC

Contact NISG

All Ireland Occupational Safety Quiz Finals: April 2019

(Date and Venue TBC)