

NISO Safety Observer  
November 2019; Issue 44

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## The Safety Observer



Newsletter of the National Irish Safety Organisation

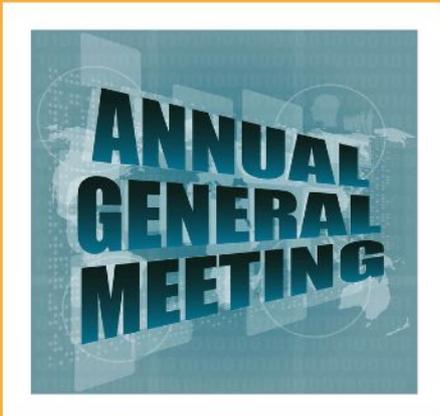
November 2019 - Issue 44

Welcome to the November 2019 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 6 November 2019 last and the next edition for NISO members is scheduled for mid January 2020. The last edition of Safety Observer was distributed on 1 October 2019.

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## All Ireland Occupational Safety Quiz 2020

**NISO CERTIFICATE IN  
SAFETY, HEALTH AND  
WELFARE AT WORK**  
13 Weeks / 2 Hours Per Week (Evenings)



Athlone IT 3 February 2020	Waterford IT 18 February 2020
Ballymount, Dublin 12 18 February 2020	CSN College of Further Education Cork Spring 2020
GMIT Castlebar 18 February 2020	Limerick IT Spring 2020

## NISO NEWS

### NISO Regional AGMs

The regional Annual General Meetings of the National Irish Safety Organisation will be taking place during December 2019 and January 2020.

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

### All Ireland Safety Quiz 2020

Quiz Season is here again and the Regional Heats will be kicking off nationwide from February 2020! Get your quiz team together and start preparing to become the 2020 All Ireland Occupational Safety Quiz Champions!

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

### NISO Certificate in Safety, Health and Welfare at Work

13 weeks / 2 hours per week  
Commencing February 2020

Athlone, Castlebar, Cork, Dublin,  
Limerick, Waterford.

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

Book online [HERE...](#)

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In this issue... [Safety news...](#) [Fatalities & Accidents...](#) [In the Courts...](#) [Statistics...](#) [Inquests...](#) [Safety Alerts...](#) [Publications...](#) [Resources...](#) [Research/Studies...](#) [Training and Events](#)

## **IRISH NEWS**

### **HSA conducts inspection “blitz” at docks and ports**

Following a serious accident, the Health and Safety Authority (HSA) has conducted a safety blitz at Irish docks and ports. There have been five recorded workplace fatalities at ports and docks nationwide since January 2018. The “inspection blitz” was directly connected to the number of fatalities over the past two years.

<http://bit.ly/2qaDzPF>

### **Coast Guard boats grounded over lifejacket safety**

All Coast Guard boat operations have been suspended with immediate effect following concerns over lifejacket safety. The issue related to one specific section of the jacket which failed to fully function when activated. While boat operations are suspended the affected areas will be serviced by the RNLI, community rescue boats and the Naval Service.

<http://bit.ly/344tliQ>

### **€35m spent on garda compensation claims in 5 years**

The cost of work-related compensation claims from An Garda Síochána in the last five years was €35m, nearly a quarter of which was in legal fees. A High Court judge has heavily criticised the system of garda compensation in which there is no incentive for claimants or lawyers to settle at an early stage. The judge said that there is zero record of settlements in garda compensation claims compared to a 90% settlement rate in general injury claims.

<http://bit.ly/2Qf8SU5>

### **Championing mental health in the workplace**

Special report on mental health in Irish workplaces. Despite growing awareness, mental illness remains a taboo topic, particularly in the workplace. Efforts are ongoing to alleviate this stigma and prevent discrimination due to mental-health issues, but are they going far enough?

<http://bit.ly/2Qaezmq>

### **Culture of safety in fishing industry is needed**

The recent tragic death of a young fisherman in Cork should encourage nations to do more to foster a culture of safety in the fishing industry, a global maritime conference has recently been told. A leading Irish maritime lawyer called on the government to ratify the Cape Town Agreement for Fishing Vessel Safety, which has already been ratified in several EU member states, to help prevent future fishing tragedies.

<http://bit.ly/2KildmH>

### **Barristers report widespread bullying and harassment in the courts**

Irish barristers perceive bullying, discrimination and sexual harassment as being widespread in their workplace. According to a new report, one in 10 female barristers say they have experienced sexual harassment in the past year, while many counsel have also expressed concerns about the behaviour of judges towards them in court.

<http://bit.ly/2Qfk2lt>

## **UK NEWS**

### **Logistics company fined £2.6m following fatality**

A logistics company has been fined £2.6m for health and safety breaches after an employee at a tyre distribution centre was killed in an avoidable accident. The deceased was crushed when a stack of tyre stillages toppled and two of them fell through the roof of the office where he and three colleagues, who were also injured in the incident, were working. The company pleaded guilty to failing to carry out a risk assessment and failing to ensure the safety of employees.

<http://bit.ly/33PYyGo>

### **Steel company fined £1.8m after two die in explosion**

A steel company has been fined £1.8m after an explosion killed two workers

and seriously injured another at a steelworks site in Cardiff in 2015. A HSE inspector said that the incident was entirely preventable and that the company failed to assess the risks and identify control measures to prevent an explosion.

<http://bit.ly/2paKUOK>

### **Buildings materials company fined £1m following fatality**

A buildings materials company has been fined £1m after a worker suffered fatal injuries when he was struck on the body by a centering machine lifting mast. The company pleaded guilty to breaches of the Health and Safety at Work Act etc. 1974.

<http://bit.ly/2XbrLc1>

### **Inquest hears helicopter crash could have been prevented**

A helicopter crash in Scotland which killed 10 people could have been prevented if the pilot had followed emergency procedures relating to low fuel warnings, an inquiry has found. Three crew members and seven customers died when a police aircraft fell onto the roof of a bar in Glasgow in 2013.

<http://bit.ly/2q8q8Qp>

## **EUROPEAN NEWS**

### **Dam collapse in Russia kills 15**

At least 15 people have died and 13 are missing after a dam collapse at a gold mine in Siberia. The dam burst after heavy rain, flooding cabins where workers lived. A criminal investigation has been opened over allegations the dam violated safety regulations.

<https://bbc.in/34X72vd>

### **Winners of the Healthy Workplaces Good Practice Awards**

Six organisations have been awarded and four commended in EU-OSHA's 14th Healthy Workplaces Good Practice Awards scheme. The 2018-19 competition highlights good practice in managing dangerous substances, and recognises organisations that take a proactive, participative approach to assessing risks and implementing solutions.

<http://bit.ly/2QeBRaF>

## **GENERAL SAFETY NEWS**

### **Self-driving vehicle involved in fatality had safety flaws**

An Uber self-driving test vehicle that hit and killed a woman in 2018 had software problems, according to safety investigators. The deceased had been walking with a bicycle across a poorly lit stretch of a multi-lane road when she was struck by the vehicle. The investigators found that the car failed to identify her properly as a pedestrian.

<https://bbc.in/36YHf7Q>

### **E-cigarettes damage brain, heart, lungs and blood vessels**

A new study by cardiologists has found that E-cigarettes damage the brain, heart, blood vessels and lungs. The study found that just one vaping episode increased heart rate, caused the arteries to stiffen and the inner lining of the arteries to stop working properly. The Irish government plans to introduce legislation to ban the sale of vaping products to under 18s while cardiologists are calling for an all out ban on vaping.

<http://bit.ly/370NbNv>

## **FATALITIES AND ACCIDENTS**

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

A man in his 80s has died in an incident involving livestock on a farm in Co. Limerick. An Garda Síochána and the Health and Safety Authority are investigating the fatality.

<http://bit.ly/2NLPPPP>

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

A man in his 70s has died in a farm accident in Co. Cork. The man was found unresponsive and injured and was pronounced dead at the scene. It is believed the accident may have involved livestock. An Garda Síochána and the HSA are investigating the accident.

<http://bit.ly/2CHUQmb>

### **Man dies in Co. Monaghan workplace accident**

A man in his 30s has died in workplace accident in Co. Monaghan. An Garda Síochána and the HSA are investigating.

<http://bit.ly/2KmstxV>

## **IN THE COURTS**

### **Waste firm facing trial over employee's death**

A leading waste management firm is facing trial for breaking health and safety laws in connection with the death of a worker. The firm faces prosecution following an investigation by the HSA. It is alleged that the firm failed to safely manage work activities and allowed two employees work alongside a telehandler when there was no control measures in place in the shed separating them from vehicles. As a consequence, it is alleged, one of the employees suffered personal injury and died. The case will be heard in the Circuit Court.

<http://bit.ly/37allhS>

### **Woman hit by bus wing mirror awarded €192k**

A woman who was injured when she was hit by the wing mirror of a minibus as she crossed a road has been awarded over €192k by the High Court. It was noted that there had been a “stark transformation” in the woman’s working and social life since the accident. The injured party told the court that she was halfway across the road when she saw the minibus just before she was hit on the right shoulder by the wing mirror of the bus which was turning onto the road. She needed to have surgery, wear a neck brace for 12 weeks and now has a scar on her neck. The judge found the driver of the bus “entirely negligent” in this case.

<http://bit.ly/2OdGyyR>

### **Garda awarded €76k for depression arising from finger injury**

A garda whose finger was broken by a person being deported and who quit the force 10 years early because of the depression he experienced following the incident and sued the State for €310,893 loss of earnings. The judge awarded him €42,699 for loss of earnings, €10,000 for physical pain and suffering arising from his fractured finger and €10,000 for psychological pain and suffering caused by his depression arising from the incident. He was also awarded €8,180 for out-of-pocket medical expenses associated with both the physical and mental suffering and €5,100 for loss of earnings due to absence on sick leave because of the fracture alone - a total sum of €75,981 damages.

<http://bit.ly/32R3oI4>

### **Boy awarded €65k damages after accident involving pot hole**

A boy who injured his lip when he fell off his bike after the front wheel allegedly hit a pot hole has settled his High Court action for €65k. The boy, now 16 years old, was 8 at the time of the accident. He suffered a deep laceration to his upper lip, was taken to hospital for stitches and now has been left with a scar. Two property management companies that had responsibility for the maintenance of the estate common area and the company that constructed the roads in the estate were sued over the incident. The judge in the case was satisfied to make an order ruling the settlement, which was made without an admission of liability.

<http://bit.ly/2XbpWMo>

### **Taxi driver loses €60k personal injury claim**

An incident in which a taxi driver needed to slam on the brakes in order to avoid a car, but which did not result in any impact, generated five personal injury claims totalling €300k. The driver of the taxi sued the owner and driver of a car that he claimed had caused him to slam on his brakes injuring himself and several of his passengers. The taxi driver and four passengers brought personal injuries claims each for €60k damages. The judge dismissed the claim with costs and said that the taxi driver had not proven his case.

<http://bit.ly/32Os3GW>

### **Girl wins €43k in damages over slip on loose gravel**

A six-year-old girl who fractured her elbow after she slipped on loose gravel outside her Dublin home has been awarded damages of €43k in the Circuit Civil Court. The girl had been crossing the road when she slipped on loose gravel and banged her left elbow against a wall. She had to wear a cast for six weeks and attend physiotherapy but has since made a full recovery.

<http://bit.ly/32Li4IX>

### **Mayo firms fined €32k over workplace death**

Three companies have been fined a total of €32,000 for health and safety related breaches following the death of a 31 year old electrician in Mayo last year. Following the tragedy the HSA prosecuted three companies that were involved in the fatal accident. Legal representatives for the companies

expressed profound regret for the safety breaches and told the court that measures had been taken to ensure they would not be repeated.

<http://bit.ly/37bNqp5>

### **Garda awarded €18k for PTSD following colleague's death**

A garda who saw her close friend and colleague mown down by a car thief in Letterkenny and was in hospital with him a fortnight later when he died has been awarded €18,000 damages for post-traumatic stress injuries she suffered afterwards. The Garda suffered panic attacks, nightmares and sleeplessness and had been treated by a psychiatrist and a psychologist following the fatality. The judge awarded her €18,000 damages.

<http://bit.ly/2CHwp8r>

### **Airline employee awarded €10k for shoulder injury**

An airline employee, who claimed she had injured her shoulder after stretching to place a number of boxes on high shelves, has been awarded €10k damages in the Circuit Civil court. The employee said she believed her injury happened in January but she waited until June the following year to take legal action as she had hoped the injury would clear up but instead it continued to get worse. The judge heard that she had been diagnosed with Frozen Shoulder, a condition that caused her shoulder joint to swell making it painful to move her arm. She chose not to use the footstool provided by her employer as she felt it would be unsafe to use it. The judge assessed full liability at €20k but based on contributory negligence he cut the damages award to €10k.

<http://bit.ly/2Od0QZu>

### **Construction firm plead guilty to breaking H&S laws**

A construction firm has pleaded guilty to breaking health and safety laws after a demolition site worker suffered serious injuries when he was hit by a steel bar carried by a digger. The case follows an investigation by the HSA. The worker was standing on rubble using a hose to keep dust down when he was accidentally struck. The construction firm admitted it failed to ensure as far as reasonably practicable, the provision of systems of work that were planned, organised, performed, maintained and revised to be safe and without risk to health, by failing to provide a safe system to operate a fire-hose on top of a rubble ramp on the site, and as a consequence the worker suffered personal injuries. The judge adjourned sentencing until a date in December for full facts

and a plea of mitigation.

<http://bit.ly/2NNRQLo>

### **Railway signal man loses unfair dismissal case after drugs test**

A national rail company fired a signal man responsible daily for the safety of thousands of commuters and rail-users after he failed a drugs test when cannabis was found in his system. The employee was requested to undergo the drugs test over suspicions that he had missed CCTV footage on his morning shift which showed that a member of the public had been inside the barriers at a level crossing as a train went by. The rail company adheres to a zero-tolerance drugs and alcohol policy and the unfair dismissal claim was dismissed.

<http://bit.ly/2QoM1FQ>

### **Plumber's case against householder dismissed**

A householder was in breach of a duty by not appointing a project supervisor for health and safety when he got an extension built to his home, a High Court judge has ruled. However, the householder was not liable for an injury caused to a worker when a steel nail on a pipe nail clip sprang back and hit his eye as he tried to nail it into a wall, the judge also ruled. The injured party claimed that the householder failed to provide him with a safe environment and system of work, failed to appoint a project supervisor and failed to provide appropriate safety equipment in the form of goggles. The judge found that the defendant breached his duty to appoint a project supervisor but that did not cause the worker's accident. The householder was also not the plumber's employer and did not owe him a statutory duty. For those reasons, the claim could not succeed and he dismissed the case.

<http://bit.ly/32RDMEG>

## **STATISTICS**

Forty-one people have been killed in workplace accidents since 1 January 2019 - Correct at 21 October 2019. Source: [www.hsa.ie](http://www.hsa.ie)

<http://bit.ly/2U9LQRV>

## **INQUESTS**

## **HSA finds no evidence of bullying following suicide**

An inquest into the death of a park ranger, who wrote “Stand up to bullies” on the canteen wall in his workplace before taking his own life, has heard that the HSA found no evidence of bullying in the workplace following a nine month investigation. CCTV footage from the depot on the day of the man’s death had been requested by Gardaí but this was erased in error. The coroner returned a verdict of suicide.

<http://bit.ly/374a4Qm>

## **SAFETY ALERTS**

### **Stacking of baled recycled material in the waste sector**

The HSA has issued this safety alert following recent fatalities where employees were fatally injured when stacks of recycled material collapsed on top of them. If recycled material is not stacked correctly it can cause the stack to become unstable and collapse leading to devastating consequences if they fall on persons in the vicinity of the collapse.

<http://bit.ly/2Ow3idA>

### **Revised guidance: exposure to welding fume**

In February 2019 HSE issued a safety alert to inform industry of a change in relation to the control expectations for exposure to welding fume including that from mild steel welding. The HSE has now revised its guidance. The Control of Substances Hazardous to Health direct advice for welding to help make sure exposure to any welding fume released is adequately controlled has been published, along with HSE’s web pages on how to manage exposure to welding fume.

<http://bit.ly/2D3bOLH>

## **PUBLICATIONS**

### **Summary of Workplace Injury, Illness and Fatality Statistics 2017-2018**

The Health and Safety Authority has published its annual Summary of Workplace Injury, Illness and Fatality Statistics which presents the most recently available statistics on occupational injury, illness and workplace statistics in Ireland.

<http://bit.ly/2KoYu8I>

## **RESOURCES**

### **Understanding MSDs with Napo**

New online toolkit to raise awareness of musculoskeletal disorders (MSDs) and to deliver MSD-related advice is now available on [napofilm.net](http://napofilm.net). The “Understanding Musculoskeletal Disorders” toolkit makes use of existing Napo films and contains 14 different activities to facilitate group discussions in organisations with their own staff and workers in their supply chains.

<http://bit.ly/2Kpjs7o>

## **RESEARCH/STUDIES**

### **Quarter of women fear reporting sexual harassment**

A recent study has found that one in four young women say they would be reluctant to report sexual harassment at work for fear of losing their job. The study also found that just 6% of young women who have been sexually harassed at work say they reported it.

<http://bit.ly/2NYEqML>

### **Loneliness of seafarers highlighted in report**

Long working hours, isolation and extended periods away from home put seafarers at risk of poor mental health, new research has found. The study, funded by the Institution of Occupational Safety and Health (IOSH), urges cargo shipping companies to provide greater support for workers to help prevent conditions such as anxiety and depression.

<http://bit.ly/2r1Qp32>

### **Banning out-of-hours email could create more stress**

A recent study has found that banning staff from accessing their work emails outside office hours could do more harm than good to employee wellbeing. The researchers found that while a ban could help some staff switch off it could also stop people achieving work goals, causing stress. According to the research, strict policies on email use could be harmful to employees with “high levels of anxiety and neuroticism”.

<https://bbc.in/2XjfPFk>

## **Emma - the pale-skinned, red-eyed office worker of the future**

The office worker of the future could have a permanently hunched back, varicose veins and red eyes if changes to work environments are not made, a recent study warns. Based on the study, a life-sized model named “Emma” was created to illustrate how the set up of a work station can lead to office workers physically and visually changing to cope with a poor work environment.

<http://bit.ly/2XmAQ1W>

## **TRAINING AND EVENTS**

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

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

[First Aid Response](#): PHECC Certificate (3 day) 4-6 December [Book now](#)

[Safety Representation](#): NISO Certificate (2 day) 9-10 December [Book now](#)

[VDU/DSE Assessor Training](#), NISO Certificate (1 day); 10 December [Book now](#)

[Manual Handling Basic](#), NISO Certificate (half day); 12 December [Book now](#)

[Manual Handling Instruction](#) QQI L6 (5 day); 20-24 January [Book now](#)

### **Safe Pass Training**

**Dublin**: NISO Training Centre, Ballymount, Dublin 12; 22 & 29 November; 6 & 13 December [Book now](#)

**Limerick**: Kilmurry Lodge Hotel, Limerick; 29 November [Book now](#)

### **Regional Courses**

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

[Westmeath: Athlone IT](#); 3 February 2020 [Book now](#)

[Dublin: NISO Training Centre](#), Dublin 12; 18 February 2020 [Book now](#)

[Mayo: Castlebar](#): 18 February 2020 [Book now](#)

[Waterford: Waterford IT](#): 18 February 2020 [Book now](#)

[Cork](#): Spring 2020

[Limerick: Limerick IT, Moylish Campus](#): Spring 2020

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

[Western](#) 2 December 2019; Oranmore Lodge Hotel, Oranmore, Co. Galway

[North West](#) 9 December 2019; Clanree Hotel, Letterkenny, Co. Donegal

[Mid West](#) 16 January 2020; Greenhills Hotel, Ennis Rd, Limerick

[North East](#) 16 January 2020; Crown Plaza Hotel, Dundalk, Co. Louth

[South Eastern](#) 21 January 2020; Viking Hotel Waterford, Waterford City

[Midland](#) 22 January 2020; Creggan Court Hotel, Athlone, Co. Westmeath

[Eastern](#) Date & Venue TBC

[South](#) Date & Venue TBC

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

[Learn More](#)

[Western](#) 13 February 2020; Oranmore Lodge Hotel, Oranmore, Co. Galway

[North East](#) 5 March 2020; The Errigal Hotel, Cootehill, Co. Cavan

[Midland](#) 11 March 2020; Bridge House Hotel, Tullamore, Co. Offaly

[North West](#) 12 March 2020; The Clayton Hotel, Clarion Road, Sligo

[South Eastern](#) 24 March 2020; Viking Hotel Waterford, Waterford City

[Mid West](#) 2 April 2020; Greenhills Hotel, Ennis Rd, Limerick

[Eastern](#) Date & Venue TBC

[Southern](#) Date & Venue TBC

[NISG Northern Ireland](#) Contact NISG

### **National Events**

[NISO Annual General Meeting](#), Bridge House Hotel, Tullamore, Co. Offaly; 25 April 2020

[NISO/NISG All Ireland Safety Quiz Finals](#), Bridge House Hotel, Tullamore, Co. Offaly; 25 April 2020

[57th Annual NISO Conference](#), Great Southern Killarney; 9 October 2020

[Trade Exhibition of H&S Products and Services](#), Great Southern Killarney; 9 October 2020

[NISO/NISO All Ireland Safety Awards](#), Great Southern Killarney; 9 October 2020



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## 18 FEB 2020 | 6.30PM

**NISO Certificate in Safety, Health and Welfare at Work**  
One two hour evening per week over 13 weeks in **Dublin**.  
Also at 7pm in the following locations:  
**AIT Athlone** (3 February); **Cork** (Date TBC); **GMIT**  
**Castlebar** (Date TBC); **LIT Limerick** (Date TBC); **WIT**  
**Waterford** (Date TBC).  
**CLICK ME** to register online or call 01 465 9760



## 9 OCT 2020

**NISO 57th Annual Conference**  
**NISO Annual Exhibition of Safety Products and Services**  
**NISO 29th Annual Awards Presentation and Dinner**  
**CLICK ME** for further information when available or visit  
[safetyconference.ie](http://safetyconference.ie) to see details of last year's event.



## OSH TRAINING

All courses listed available to be delivered in **Dublin**,  
nationwide or **in-house** on request.  
**NISO Certificate in Safety, Health and Welfare at Work** |  
**Safe Pass** | **Health & Safety Representation QQI L5** |  
**Manual Handling Instruction** | **Manual Handling Basic** |  
**Risk Assessment** | **Safety Rep** | **VDU/DSE Assessor** |  
**Introduction to H&S for the Non Safety Specialist**  
**CLICK ME** to view all upcoming courses



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