

NISO Safety Observer  
December 2019; Issue 45

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## The Safety Observer



Newsletter of the National Irish Safety Organisation

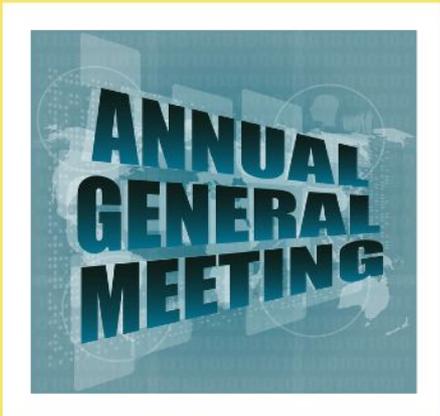
December 2019 - Issue 45

Welcome to the December 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 20 November 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... In the Courts... Statistics... Inquests... Safety Alerts... Publications... Reports... Research/Studies... Safety blogs/opinion... Training and Events

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## **IRISH NEWS**

### **Almost 200 workplace bullying complaints in four years**

The Health and Safety Authority (HSA) has received nearly 200 complaints of workplace bullying over the past four years. A total of 37 complaints have been made so far this year. The figures have been released under the Freedom of Information Act.

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

### **Cap on personal injury awards reviewed**

Legislation to cap personal injury awards that would safeguard judicial independence is being examined by the Law Reform Commission. The commission has published a paper setting out four models for such a cap and has asked interested parties to express their views before the end of January 2020.

<http://bit.ly/35mkVE9>

### **Fast food chain boss criticises PI legal costs**

The founder of a chain of Irish fast food outlets has criticised the “astronomical” cost of defending personal injury cases after his company racked up more than €380k in legal costs fighting eight claims. Four of the cases were dismissed, two were withdrawn in court, one was settled for €9k while another claimant was awarded €26,250 in a separate case.

<http://bit.ly/34x3grU>

## **UK NEWS**

### **Council fined £1.4m after child critically injured**

A county council in the UK has been fined £1.4m after a six-year-old girl was injured while playing on a street bollard that had not been secured with cable ties. The girl, who is now aged 10, was climbing on the bollard when it toppled over. She suffered critical head injuries and still requires care. The county council was aware that the bollard was damaged prior to the incident.

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

### **75% of NI workers do not report sexual harassment**

According to a recent trade union survey in Northern Ireland, three-quarters of workers experiencing sexual harassment at work do not report the incident to their employer. The survey also found that Christmas parties were the most common out of workplace locations of such sexual harassment.

<http://bit.ly/34Vlrrl>

## **EUROPEAN NEWS**

### **Healthy Workplaces Summit 2019 - recordings now available**

Material from the EU-OSHA's Healthy Workplaces Summit 2019 is now available including a summary of the conference, recordings of all sessions, presentations and photos.

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

### **Zero tolerance on drink driving - report**

The European Union should introduce a zero-tolerance drink-driving limit in 2020 as part of a package of measures to help prevent up to 5,000 alcohol-linked road deaths every year, according to a new report by the European Transport Safety Council (ETSC). The report states that a quarter of the 25,000 EU road deaths each year are likely to be linked to alcohol.

<http://bit.ly/34cyrbT>

## **WORLD NEWS**

### **New Delhi factory fire kills 43**

At least 43 people have been killed in a devastating fire that ripped

through a bag factory in the Indian capital New Delhi, trapping scores of workers who were sleeping inside. Police and fire officials said that at least 58 others were rescued. The workers are believed to be mostly poor, migrant workers who manage to save money by staying overnight at their workplaces.

<http://bit.ly/2P7MeMM>

## **FATALITIES AND ACCIDENTS**

### **Man dies in Co. Wexford farm fatality**

A man in his 40s has died on a farm in Co. Wexford. It is understood that the fatal incident involved a construction project on the farm. An Garda Síochána and the HSA have been notified and have launched separated investigations into the fatality.

<http://bit.ly/38JsarP>

### **Farmer injured following bull attack in Co. Tipperary**

A farmer has been seriously injured following an attack by two of his bulls on his farm in Co. Tipperary. He was airlifted to hospital and has been placed in an induced coma. It is understood he is expected to make a full recovery.

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

## **IN THE COURTS**

### **Employer sued after student dies in traffic accident**

The family of a 19-year-old student who was killed in a road accident as he drove back to Dublin in the early hours after working in Sligo has sued his employer for nervous shock. It is believed that the deceased, who was working part time, fell asleep at the wheel while driving back to Dublin after working at an event in Sligo. It was claimed that the deceased was required to work an excessively long shift which included a long drive in the dark at its conclusion and a failure to provide accommodation so he could rest before the return journey. The claims have been denied by the employer.

<http://bit.ly/352g0bj>

### **Cleaning lady awarded €105k following fall down stairs**

A cleaning lady who fell down stairs at a market where she worked one morning a week has been awarded €105k by a High Court judge. The woman, who was 74-years-old at the time of accident, fractured her arm as a result of the fall. The judge said that she was satisfied that the cleaning lady fell as a result of “an inappropriate stair arrangement”.

<http://bit.ly/2YjH8zF>

### **Woman awarded €94k for workplace sexual harassment**

A woman has been awarded €94,708 for sexual harassment, unfair dismissal and other breaches of workplace legislation by the Workplace Relations Commission (WRC). The WRC heard how the Chief Executive of the company where she worked hacked her phone and downloaded intimate images of her and also subjected her to unwanted romantic attention including gifts and text messages. The woman was dismissed on her return from a week’s annual leave. She submitted that this was because she had spurned the chief executive’s advances, which he denied.

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

### **Girl awarded €80k following fall at funfair**

A 10-year-old girl who fell and cut her knee as she walked on the boardwalk beside a Waltzer ride at a funfair has settled her High Court action for €80,000. She suffered a laceration to her knee and the High Court heard today she has been left with a six-inch scar. It was claimed there was an alleged failure to provide any adequate lighting around the Waltzer ride and an alleged failure to ensure that wooden slats on the boardwalk did not present as a tripping hazard to those using it. The claims were denied.

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

### **Child awarded €45k after restaurant door crushed fingers**

A seven-year-old child, who suffered crush injuries three years ago to two of her fingers in a restaurant, has received a settlement of €45k damages for personal injuries. The girl was required to have surgery on both fingers while under general anaesthetic and has been left with scarring. The Personal Injuries Board had assessed compensation for the child at €45k

and the judge said that he considered the assessment appropriate and approved of it.

<http://bit.ly/2Pwq7zD>

### **Garda awarded €37k following incident with getaway car**

An armed garda who risked his life to foil a post office robbery by a gunman and two criminal associates was awarded just under €37,500 damages for injuries he suffered at the scene. The detective faced down one of the criminals who pointed a sawn-off shotgun at him before throwing it to the ground. The criminals sped away from the scene in a stolen car striking the garda on his right leg and side and injuring his ankle and hip. The garda said that he was suffering from psychological injuries as well as back and ankle pain. The judge awarded him €35,000 damages with special damages of €2,419.

<http://bit.ly/388rnA5>

### **Boy awarded €35k for elevator incident**

A 12-year-old boy has been awarded €35k in the Circuit Civil Court after he broke his arm while travelling upwards on an elevator in a supermarket. The boy was seven at the time of the incident and no one witnessed the exact cause of the injury.

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

### **No fine for lift company following fatality**

A lift installation company that pleaded guilty to a breach of health and safety regulations following the death of a three-year-old child has not been fined. A technical investigation of the lift revealed that it had been constructed with a space that exceeded legal parameters. The judge said that in the absence of blame attached to the lift company he had no basis for determining where this offence stands on the scale of gravity.

<http://bit.ly/36N6jxx>

### **Airport worker locked on plane could have died, case hears**

An airport worker who slipped into an aircraft hold for a sleep could have died after he was mistakenly locked in by a colleague shortly before the aircraft was due to take off, a Workplace Relations Commission (WRC) case heard. The worker had a lucky escape after a passenger on board

heard loud banging and shouting coming from the locked hold. A loading supervisor had signed off that the hold was empty without properly checking and he was sacked for gross misconduct as a result by his employer, a service provider. The supervisor sued for unfair dismissal arising from the incident at an unnamed Irish airport. The WRC adjudication officer found that a reasonable employer could dismiss an employee for such a serious breach.

<http://bit.ly/360jzi2>

### **Woman awarded €15k following incident with cherry picker**

A 25-year-old woman has been awarded €15k following an incident in which she injured her shoulder when a cherry picker reversed into her car. She has previously settled two road traffic accident claims for €12,500 each.

<http://bit.ly/34PCQ5O>

### **PI case thrown out following Facebook photo evidence**

A man who claimed he could no longer carry out manual labour and was unable to raise his arm above his head without pain after his car was rear-ended had his case for damages thrown out when the judge was shown Facebook pictures of the plaintiff participating in a 10km obstacle course. The man's brother also took a case for injuries suffered arising from the incident. The defendant said that she felt no impact with the car but that she could see that her car was touching the car in front. There was no damage to either car. Both claims were dismissed with costs awarded against both plaintiffs.

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

### **Man sues supermarket for back injury claims**

A supermarket worker who claimed he pulled his back lifting a 20kg bag of onions has sued in the High Court. The 57-year-old man claims he has chronic back pain and has not worked since the accident five years ago when he attempted to move the bag of onions from a pallet two meters high. He claims there was a failure to instruct him or his fellow employees in the correct operational procedures for the safe carrying out of his duties. The claims have been denied.

<http://bit.ly/2rL7xeb>

## **INQUESTS**

### **Inquest rules cattle handlers death “accidental”**

An experienced cattle handler who died in hospital after he was trampled on by a bullock at a farm in West Clare sustained multiple traumatic injuries including a fractured skull, his inquest was told. The deceased was helping a neighbour load cattle onto a trailer when the accident occurred. The coroner described the incident as a “freak accident” and advised on a ruling of accidental death.

<http://bit.ly/34QiJnP>

### **No criminal charges after man crushed by bull on farm**

No criminal charges will be brought in relation to the death of a man who died from fatal injuries he suffered when he was crushed by a bull on a farm in Co. Offaly, an inquest has heard. An Garda Síochána and the HSA submitted files from their separate investigations to the Director of Public Prosecutions (DPP). The DPP directed no prosecution and the date for the full inquest has been set for 5 May 2020.

<http://bit.ly/38cnRVt>

### **Lorry safety recommendations heard at inquest**

An inquest jury has recommended that the installation of cameras on the back of lorries should be examined following its verdict in a tragic industrial accident at an industrial park over two years ago. The deceased, a 53-year-old male, died following an accident at a distribution centre in 2017. He died following head injuries sustained when he got trapped between a lorry backing into the centre and part of the area where goods are stored. A HSA inspector said that the incident had led to changes in procedures, not only at that particular site, but also across the state.

<http://bit.ly/2P5ZaTg>

## **STATISTICS**

Forty-four people have been killed in workplace accidents since 1 January 2019 - Correct at 19 December 2019. Source: [www.hsa.ie](http://www.hsa.ie)

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

## **SAFETY ALERTS**

### **Safety alert for lift with defective worm gear**

A safety alert has been issued to warn of elevator lifts with defective worm gear following a fatal accident in the Netherlands. It has been identified that one or more of the six hard steel nuts which secure the worm gear to the flange from the axle to the traction sheave may become loose. The worm gear may thus become detached from the drive shaft and result in an uncontrolled movement of the lift cabin.

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

### **Passenger lifts installed by Ellickson Engineering Ltd.**

The HSA has issued this safety alert to inform owners / operators of lifts installed by Ellickson Engineering Ltd. (no longer trading) to carry out checks to ensure the lifts have been installed as required under the legislation. The HSA advises that the passenger lifts marked with the number CE490 may not have been designed and/or installed in compliance with relevant legislation as CE490 is not a valid notified body number.

<http://bit.ly/33O4rTp>

## **PUBLICATIONS**

### **Work-related MSDs: prevalence, costs and demographics in the EU**

This report was commissioned by the European Agency for Safety and Health at Work (EU-OSHA) to provide an accurate picture of Musculoskeletal Disorders (MSDs) across Europe. This study pulls together and analyses existing data relating to MSDs from the main EU surveys and administrative data. The main outcomes of this study are presented in this executive summary.

<http://bit.ly/33P82AK>

### **Managing grey fleet information sheet**

This guidance from the HSA will help you learn about the legal duties of employers and how to implement a safe systems approach to managing the risk associated with driving for work in privately owned or privately

leased vehicles, more commonly known as the grey fleet.

<http://bit.ly/2LjS9vx>

### **2018 survey on chemical usage in Irish companies**

New publication by the HSA, “2018 Survey on Chemical Usage in Irish Companies including an assessment of the potential impact on Irish Companies following the UK exit from the EU”.

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

### **Risk assessment for managing ergonomic risks**

Abridged version of the “Managing Ergonomic Risks in the Workplace to Improve Musculoskeletal Health” publication published by the HSA in March 2019.

<http://bit.ly/34SOnB6>

### **Confined spaces in agriculture - steps to manage the risks**

This publication by the HSA illustrates the types of confined spaces that can be found on farms, helps you identify confined spaces on farms and provides guidance on how to reduce the associated risk.

<http://bit.ly/2r246iR>

## **GUIDANCE**

### **Supporting workers’ mental health during Christmas**

The festive period can be a stressful time of the year for many. Institutions of Occupational Safety and Health (IOSH) has put together ten key ways in which organisations can talk about mental health over the holiday period.

<http://bit.ly/38Pn0KD>

## **RESEARCH/STUDIES**

### **Psychosocial risks and sitting: frequently reported risk factors**

The findings of the third European Survey of Enterprises on New and Emerging Risks (ESEN-3) has found that having to deal with difficult people, repetitive arm and hand movements, and lifting and moving people or heavy loads are still frequently reported by enterprises as risk factors for

workers' health across Europe. The findings are based on interviews carried out in over 45,000 enterprises of all sizes and sectors in 33 European countries.

<http://bit.ly/365yaci>

## **REPORTS**

### **Biological agents at work - how to address health problems**

A new report by EU-OSHA reviews the scientific literature on specific work-related diseases - such as infectious diseases and allergies - caused by biological agents. The report provides recommendations for better monitoring practices, prevention strategies and policies.

<http://bit.ly/2OM5z5R>

## **SAFETY BLOGS/OPINION**

### **Why working from home is good for you (and everyone else)**

Discussion on the positives and negatives for employers and employees of remote working.

<http://bit.ly/2E5EbJW>

### **Saying no to sexual harassment in the workplace**

Laws are in place in Ireland to protect workers from unwanted verbal or physical conduct of a sexual nature. But are they being implemented in the workplace?

<http://bit.ly/2E9wzWR>

## **TRAINING AND EVENTS**

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

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

[Manual Handling Basic](#), NISO Certificate (half day); 16 January 2020 [Book now](#)

[Manual Handling Instruction](#) QQI L6 (5 day); 20-24 January 2020 [Book now](#)

[Safety Representation](#): NISO Certificate (2 day) 11-12 February 2020 [Book now](#)

[VDU/DSE Assessor Training](#), NISO Certificate (1 day); 18 February 2020 [Book now](#)

[First Aid Response](#): PHECC Certificate (3 day) 24-26 March 2020 [Book now](#)

First Aid Response - Refresher: PHECC Certificate (2 day) 30-31 March 2020 [Book](#)

[now](#)

### **Safe Pass Training**

**Dublin:** NISO Training Centre, Ballymount, Dublin 12; 10, 14, 21 & 31 January 2020 [Book now](#)

**Limerick:** Kilmurry Lodge Hotel, Limerick; January 2020

### **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](#) 30 January 2020; NISO Training Centre, Ballymount, Dublin 12

[South](#) Date & Venue TBC

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

[Learn More](#)

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

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

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

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

[Eastern](#) 19 March 2020; Gresham Hotel, Dublin 1 [Book now](#)

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

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

[Southern](#) Date & Venue TBC

[NISG Northern Ireland](#) Contact NISG

### **National Events**

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

[NISO/NISG All Ireland Safety Quiz Finals](#), Tullamore Court 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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