



The Safety Observer



Newsletter of the National Irish Safety Organisation

March 2020 - Issue 46

Welcome to the March 2020 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 30 January 2020 last and the next edition for NISO members is scheduled for late April 2020. The last edition of Safety Observer was distributed on 20 December 2019.

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IRISH NEWS

Number of workplace fatalities increase in 2019

The Health and Safety Authority (HSA) has reported an increase in workplace fatalities in 2019. The total number of workplace deaths in 2019 was 46 compared with a total of 39 fatalities in 2018 representing an 18% increase overall.

<http://bit.ly/3bSWxNU>

Calls for garda body cams

The president of the Garda Representative Association (GRA) has called for body cameras on gardaí as over 160 miss work due to assaults. According to Freedom of Information Figures a total of 162 gardaí missed at least a day because of an attack with 52 out of work for over a month. Seven were out of work for over six months with 19 gardaí sustaining bone fractures. The GRA president has said that the cameras are needed for the protection of officers.

<http://bit.ly/39tN0Ln>

Ambulance staff incurred 114 assaults over past two years

There have been 114 recorded assaults on ambulance staff over the past two years while a union representative claims many more assaults are not being reported. Seventy of the assaults were physical, 43 were verbal and one was sexual. The number of assaults in both 2018 and 2019 were highest in southern counties.

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

Employers must make coronavirus policies clear

According to an employment law expert, employers are not obliged to pay employees who decide to stay at home as a safety precaution after travelling from an area with a coronavirus outbreak. The specialist further says that employers should tell at risk or sick staff to stay at home.

Employers need to get their “policies out there” for staff to see, including sick leave and health policies.

<http://bit.ly/2wJX1Wr>

UK NEWS

Supermarket fined £700k following customer fall

A branch of a supermarket giant has been fined £700k after a 91-year-old customer slipped and broke his hip. The pensioner was pushing his trolley when he slipped on pooling watery liquid which was leaking from refrigerator units. He fell and suffered multiple hip fractures and is still unable to bend his legs. An investigation found that the liquid should have been able to drain away but had not been able to do so because of blockages in the drains under the floor. The supermarket admitted breaching two sections of the Health and Safety at Work Act.

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

EUROPEAN NEWS

French company convicted over employee suicides

A French phone and internet provider has been found guilty over a string of employee suicides and its former CEO has been sentenced to prison in a landmark ruling. The company was fined €75k and ordered to pay hundreds of thousands euro more in damages over suicides in the 2000s while the company was undergoing difficult restructuring. This is France’s first big company to be tried on a charge of institutionalised “collective moral harassment”.

<http://bit.ly/2ShToj1>

ECHA February Newsletter

There are a number of interesting articles in the February 2020 edition of the European Chemicals Agency (ECHA) including the following:

- CLP - Inconsistent classification and labelling of mixtures - companies need to improve
- Make sure your chemical safety report is complete - we'll start to check in April 2020
- Keeping harmful chemicals out of baby nappies
- Speeding up the biocides active substance Review Programme
- Cleaning up Europe's act with the SCIP database

<http://bit.ly/2vPX2ru>

Calls to ratify violence and harassment convention

The EU Commission has encouraged EU Member States to ratify a convention on workplace violence and harassment that was adopted during the International Labour Organisation in June 2019. The convention is the first international instrument setting out global standards on work-related harassment and violence.

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

Hundreds of fishermen rescued in Russia

Russia's emergency services have rescued 535 ice fishermen after they got stranded on a giant ice floe that broke off an island in eastern Siberia. The rescue operation lasted almost seven hours.

<http://bit.ly/38jE2jka>

33 rescue workers killed in Turkey avalanche

A team of rescue workers has been killed in an avalanche in eastern Turkey. The rescue team had been sent in to find people still missing from an earlier avalanche. Officials reported that 33 emergency workers were killed, 53 injured and others were still buried under the snow.

<http://bit.ly/39vWCVX>

WORLD NEWS

Seven killed in denim factory fire in India

Seven workers have been killed in a fire in a denim factory in Ahmedabad in India. There was only one exit from the factory through a door that could only be reached by ladder. Police found the the factory violated numerous safety regulations and the factory's owner, a manager and fire safety officer have been arrested.

<https://wapo.st/38X2qaO>

GENERAL SAFETY NEWS

Ireland has highest rate of increase in cyclist deaths in EU

Ireland has recorded the highest annual increase in cyclist fatality rates among all EU member states in the past decade. A new report has revealed deaths of cyclists have risen in Ireland by 8% each year on average since 2010, almost four times the rate of the next worst countries, the Netherlands and France, where rates rose by 2%.

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

Safety system need to prevent collisions at Dublin bridge

A rail firm is engaging with industry experts with the purpose of developing an over-height vehicle detection system for a Dublin city centre rail bridge. The bridge has been the scene of a number of "incredibly dangerous" collisions involving over-height vehicles.

<http://bit.ly/2Vtrzq3>

FATALITIES AND ACCIDENTS

Farmer killed in accident on Co. Cork farm

A father of four has been killed in an accident on his farm in Co. Cork. The accident occurred while the deceased was working in the milking parlour. The HSA and An Garda Síochánan are investigating the incident.

<http://bit.ly/3bnH745>

Man killed in Co. Kerry farm accident

A man in his 70s has been killed in a farm accident in Co. Kerry. It is

understood that the fatal accident involved a sliding door on a farm shed. The man had recently retired from dairy farming but had continued with dry cattle. The HSA is conducting an investigation into the fatality.

<http://bit.ly/39nqqnt>

Fisherman's body recovered off Wexford coast

Two fishermen lost their lives when their trawler sank off the Wexford coast. One of the men was rescued but died shortly after being airlifted to hospital. The second fisherman was missing for several weeks after the accident but his body was eventually recovered following multi-agency search operations. The cause of the trawler sinking remains unexplained.

<http://bit.ly/2SF489W>

Homeless man injured by industrial vehicle

A man was taken to hospital with life changing injuries after his tent on a canal bank in Dublin city was removed by an industrial vehicle. The HSA and An Garda Síochána are investigating the incident.

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

Garda injured during tractor protest

A garda was injured during a scuffle at a tractor protest in Dublin city. It has been reported that the garda was struck by a car and received minor injuries.

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

Dangers of livestock reminder following cow attack

Farmers have been warned of the risk of attack by livestock after a farmer suffered significant injuries on a Co. Westmeath farm. The cow in question had calved two days prior and this would have been a major factor in the attack. The injured man was accompanied by his neighbour and a vet who administered first aid until the paramedics arrived.

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

IN THE COURTS

€1.4m compensation for family of murdered garda

The widow and three children of a murdered member of An Garda Síochána have been awarded €1.4m in compensation. The settlement was approved in the High Court. The garda was shot after responding to a domestic violence complaint in Co. Louth.

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

Man awarded €27k following workplace harassment

A gay man who was labelled with a homophobic slur by a work colleague has been awarded €27k for being continually harassed in the workplace on the grounds of his sexual orientation. The complainant told the Workplace Relations Commission (WRC) that he was subjected to comments, sniggering and juvenile, stereotypical comments made in his company on a daily basis. The man stated that his mental health suffered incredibly and he was treated with depression and experienced panic attacks. The Operations Manager's investigation of his complaints was described as "disastrous" and she accused the man and a female corroborator of being liars. The WRC Officer in the case said that the €27k award, to be paid by the employer, is for the sustained distress suffered by the complainant and the effects of the discrimination and harassment on him and his health.

<http://bit.ly/2vIZct5>

Deli worker awarded €20k for sexual harassment

A female deli worker who was kissed on the neck against her will and pinched by a male colleague has been awarded €20k for ongoing sexual harassment. The Workplace Relations Commission (WRC) ordered the supermarket where they both worked to pay the female employee €20k for distress suffered and the effects of discrimination and sexual harassment. The woman made a formal complaint and a second female employee also made an allegation against the man. The accused was moved to work in the store room but soon after went on sick leave. The adjudication officer in the case found the supermarket failing to conclude its investigation was the most egregious flaw in the process.

<http://bit.ly/3bCuJ0j>

Shipping firm faces charges over fatality

A shipping company is facing trial after being accused of breaking health and safety laws following the death of a father-of-two in a workplace accident at an Irish port. The deceased, who was in his late 30s, was rushed to hospital following the incident and later died. The HSA carried out an investigation into the fatality. The firm faces five charges under Section 77 of the Safety, Health and Welfare at Work Act. The case has been adjourned for the preparation of a book of evidence.

<http://bit.ly/2w6GOu5>

€75k settlement for boy who fell through skylight on lawn

A 12-year-old boy, who fell ten feet down into a tunnel after falling through a skylight when he was a toddler, has settled his High Court action for €75k. The boy, who was attending a family wedding at the time of the accident, was playing on a grassed area of the hotel when he dropped through the skylight which was embedded in the ground. The skylight was one of a number embedded in the lawn to provide light to a tunnel used by staff to access the kitchens. The child was not knocked out following the fall but he suffered lacerations, broke his right arm and lost three of his baby teeth.

<http://bit.ly/3bQ4jln>

Woman loses €60k claim following pub fall

A woman in her 30s who tripped over a “jostle stone” after exiting a pub in Dublin has lost a €60k personal injuries claim against the pub and the city council and will have to pay the legal costs of both defendants. The woman told the judge in the Circuit Civil Court that she had a few drinks and upon leaving the pub tripped over “an invisible stone”. She said she had injured her right arm and suffered with severe pain and bruising for six weeks following the fall. The judge said that the stone was visible to anyone who was watching where they were going and there was an obligation on people to look where they were walking.

<http://bit.ly/323PQ74>

€70k for child who tripped in potholed laneway

A girl who chipped her teeth and suffered cuts to her face when she fell in an alleged potholed laneway near her home has settled her High Court

action for €70k. The child, who was seven at the time of the accident, was crossing a laneway near her home when she fell forward onto her face, chipping her front teeth and suffering cuts to her right cheek and eyebrow and her left knee. The council made any offer €70k to settle the case and this was accepted.

<http://bit.ly/2P3d4Fi>

€158k damages award overturned in Appeal court

An award of €158,864 damages to a woman who tripped and fell while crossing a courtyard area adjacent to her workplace has been overturned by the Court of Appeal. The three-judge Appeal Court found that there was “no credible evidence” to support the liability finding of the trial judge. The complainant had sued her former employer, the Minister for Social Protection and the State over the fall. In the Court of Appeal, the CCTV footage established that the complainant had incorrectly identified to her engineer the point at which she fell. Under cross-examination the engineer accepted there was no tripping hazard at the place where the complainant actually fell. The Court of Appeal found that there was “no credible evidence” to support the liability finding and concluded that the appeal would be allowed.

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

Baby who suffered burns in a café awarded €41k

A five-year-old boy who, when he was a baby, pulled a bowl of soup on top of himself at a coffee shop and suffered burns has settled his High Court action for €41k. The child was six-months-old when he sustained superficial scald burns to his arms and legs on about 3 per cent of his body. He spent eight days in hospital and has now been left with minor scarring.

<http://bit.ly/31NCifN>

Girl who dislocated knee in cinema awarded €40k

An eight-year-old girl who dislocated her knee when she fell in a Co. Dublin cinema has been awarded €40k damages for personal injuries in the Circuit Civil Court. She fell on an uneven floor surface in the cinema striking her left knee against a cup holder on one of the seats and was

unable to get up afterwards. She was taken to a children's hospital where an X-ray revealed her kneecap had been dislocated. It was relocated during surgery under sedation. The child's leg was placed in a cast and she had to undergo physiotherapy. While liability was not formally admitted a settlement of €40k was agreed and approved by the judge.

<http://bit.ly/38E0vaZ>

Shopper's personal injury claim for €15k thrown out

A woman who told a court that she was injured when she slipped on milk in a supermarket had her €15k compensation claim thrown out. The 19-year-old woman, who was 16 at the time of her slip, claimed that the store was negligent and failed to have regard for her safety. Her civil action was dismissed following CCTV footage which showed footage of her returning to the area of the spillage a number of times before she fell. Costs were awarded to the supermarket.

<http://bit.ly/2v16nfX>

STATISTICS

Eight people have been killed in workplace accidents since 1 January 2020 - Correct at 24 February 2020.

Source: www.hsa.ie

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

PUBLICATIONS

HSA Programme of Work 2020

This is the second year for the implementation of the HSA's strategy for the period 2019-2021 and this document connects some of its key programme activities to the relevant strategy goals.

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

Men in the Workplace - Mental Health

A publication from Male Health at the Workplace, an initiative of the Irish Men's Sheds Association, which offers advice and suggestions for maintaining good mental health and dealing with mental health issues in

the workplace.

<http://bit.ly/2SJ3pG4>

Chemical Agents Code of Practice 2020

This Code of Practice came into effect on 17 January 2020 and replaces the 2018 Code of Practice for the Chemical Agents Regulations. The 2020 Code of Practice has been re-structured to support the Chemical Agents and Carcinogens Regulations as amended.

<http://bit.ly/2HE1Ym7>

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

The HSA's annual Summary of Workplace Injury, Illness and Fatality Statistics presents the most recently available statistics on occupational injury, illness and workplace fatalities in Ireland.

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

Medical Examination and Assessment of Divers at Work

This document from the HSA provides guidance and information on becoming a medical examiner of divers and the best practice standards for the medical examination, assessment and certification of divers.

<http://bit.ly/39PWGzK>

Construction Site Traffic Management Plan (CSTMP) Guidance

This Construction Site Traffic Management Plan (CSTMP) will help a PSCS or small contractor in developing a traffic management plan for work on construction sites (not live roads).

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

Musculoskeletal health of hairdressers

Article from EU-OSHA exploring the relation between MSDs and the hairdressing sector which summarises the findings of a recent review which aims to promote a health and safe working environment for hairdressers.

<http://bit.ly/2ut0VIP>

RESOURCES

HSA launch new traffic management plan

The Health and Safety Authority (HSA) has launched a new free online tool for the construction sector. The guidance will help contractors and project supervisors to identify hazards and apply appropriate controls so that the movement of vehicles and pedestrians can be planned, managed and coordinated on site. The CSTMP is available to complete online or can be downloaded from the HSA's website or BeSMART.ie.

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

SAFETY COMMENTARY/OPINION

Do employers really care about staff mental health issues?

Article and podcast from Maynooth University which questions whether organisations take staff mental health issues seriously or if they view it as a PR or HR exercise. Includes useful links to articles, research and televised and radio discussions on this topic.

<http://bit.ly/38F8eFX>

Heartbreaking stories reveal the risks facing older farmers

An article from Dr. Sharon McGuinness, CEO of the HSA, in which she takes a look at the shocking farm fatality statistics from 2019 in which 13 farmers over the age of 60 were killed on Irish farms. Dr. McGuinness discusses a conversation she had with a farmer's wife that she says really "brought home ... the personal struggles behind these figures".

<http://bit.ly/32s0fcR>

Are emails outside of working hours against employment law?

This article considers perspectives from Ireland, the EU and the UK on the subject of our of hours emails.

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

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); 12 & 26 March 2020 [Book now](#)

[Safe Pass](#), SOLAS, (1 day); 6, 13, 18 March 2020 [Book now](#)

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

[Mobile Working Assessor Course](#), NISO Certificate (1 day) 24 March 2020 [Book now](#)

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

[Safety Representation](#): NISO Certificate (2 day) 8-9 April 2020 [Book now](#)

[VDU/DSE Assessor Training](#), NISO Certificate (1 day); 21 April 2020 [Book now](#)

[Manual Handling Instruction](#) QQI L6 (5 day); 5, 6, 7 & 11, 12 May 2020 [Book now](#)

Working at Height and Scaffolding COP - Seminar

Galway: 18 March 2020; Oranmore Lodge Hotel, Oranmore, Co. Galway [Book now](#)

Dublin: 19 March 2020: Hotel Riu Plaza The Gresham, Dublin 1 [Book now](#)

Promoting Health and Wellbeing in the Workplace - Workshop

Dundalk: 19 March 2020; Crowne Plaza Hotel, Dundalk, Co. Louth [Book Now](#)

Limerick: 1 April 2020; Radisson Blu Hotel & Spa, Ennis road, Limerick [Book Now](#)

Dublin: 23 April 2020; NISO Training Centre, Ballymount, Dublin 12 [Book Now](#)

Cork: 6 May 2020; Radisson Blu Hotel & Spa, Little Island, Cork [Book Now](#)

Athlone: 19 May 2020; Radisson Blu Hotel & Spa, Athlone, Co. Westmeath [Book Now](#)

All Ireland Occupational Safety Quiz - Regional Heats [Learn More](#)

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

[Southern](#) 3 March 2020; Radisson Blu Hotel & Spa, Little Island, Cork [Book now](#)

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

[NISG Northern Ireland](#) 6 March 2020; Wellington Park Hotel, Belfast; Contact info@nisg.org.uk

[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](#)

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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2020 SAFETY AWARDS

1 May 2020
Closing Date for 29th Annual NISO / NISG All Ireland
Occupational Safety Awards 2020

CLICK ME to find out more or attend one of our free
workshops. For further information visit safetyawards.ie



WORKING AT HEIGHT SCAFFOLDING COP

Half day seminar:
Galway (18 March);
Dublin (19 April);
[CLICK ME](#) to register online or call 01 465 9760



HEALTH & WELLBEING

Half day workshops:
Promoting Health and Wellbeing in the Workplace

Dundalk (19 March); Limerick (1 April); Dublin (23
April); Cork (6 May); Athlone (19 May)
[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 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