

NISO Safety Observer
December 2023; Issue 76

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Newsletter of the National Irish Safety Organisation

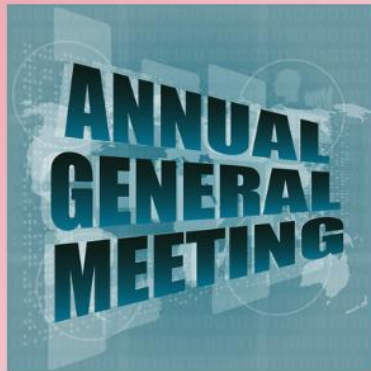
December 2023 - Issue 76

Welcome to the December 2023 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 3 November 2023 last and the next edition for NISO members is scheduled for mid January 2024. The last edition of Safety Observer was distributed on 4 October 2023.

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NISO NEWS

All Ireland Safety Quiz

The NISO/NISG All Ireland Occupational Safety Quiz Regional Heats will be commencing in spring 2024. The Quiz Finals are taking place in Limerick on 27 April 2024. Keep an eye on niso.ie for updates

NISO AGMs

NISO's regional AGMs will be taking place throughout spring 2024. The NISO National Annual AGM is taking place in Limerick on 27 April 2024. Keep an eye on niso.ie for updates

NISO Certificate in Safety, Health and Welfare at Work

NISO's flagship health and safety course, the NISO Certificate in Safety, Health and Welfare at Work is commencing in Athlone, Castlebar, Dublin/Online from February 2024. Visit <https://niso.ie/product/nisocert/>

The NISO Observer Newsletter is sent to **NISO Members and email subscribers only**. Your colleagues may have to subscribe to the NISO mailing list to receive email communications from National Irish Safety Organisation. Please forward this newsletter on to any colleagues or friends who may want to subscribe.

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IRISH NEWS

Workplace fatalities drop to lowest number since 1989

The Health and Safety Authority (HSA) has reported that last year (2022) saw the lowest number of workplace fatalities since 1989. The chairperson of the Health and Safety Board told the Joint Committee on Enterprise, Trade and Employment that there has been an overall reduction in work-related deaths in the past decade. While the number of fatalities has reduced, there has been an increase in non-fatal injuries (8% increase in 2022). The chairperson mentioned the issue of the large-scale fitting of solar panels across the country which, in some cases, is not being done by sufficiently qualified people could account for some of the increase in injuries. She also mentioned that Ireland was in the top quartile in relation to fatalities and injuries internationally.

<https://tinyurl.com/53by6hx7>

The HSA publishes its annual review for 2021–2022

The HSA has published its *Annual Review of Workplace Injury, Illness and Fatality Statistics* which presents the most recently available data on work-

related fatalities, injuries and illnesses in Ireland. Some of the key statistics from the report include that during 2022, 28 people were killed in work-related fatal incidents, 9,070 non-fatal incidents were reported to the HSA and 1,607,000 workdays were lost due to work-related injuries and illnesses. At 28, the number of fatal incidents is the lowest on record since the establishment of the HSA in 1989.

<https://tinyurl.com/mr42xydn>

Menopause in the Workplace Policy Framework launched

Minister Paschal Donohoe and Minister Hildegard Naughton have launched a Menopause Policy Framework for the Civil Service. The publication of the policy framework commits all Civil Service employers to recognise the impact of menopause and actively support all employees who are affected. The framework gives an overarching structure to guide Civil Service organisations when developing menopause policies and identifies ways in which they can support employees such as offering workplace adjustments.

<https://tinyurl.com/2dx9rcr>

RSA research on driving for work risks

New data from the Road Safety Authority (RSA) shows that 8% of drivers killed and 12% of drivers seriously injured between 2018 and 2022 were driving for work. The figures, which are provisional and subject to change, represent 25 fatalities (8%) and 275 serious incidents (12%). The RSA's analysis also revealed that between 2018 and 2022, 23% of drivers involved in fatal collisions and 19% of drivers involved in serious injury collisions were driving for work. Research from the RSA in 2021 found that those who drive for work are more likely to engage in dangerous driving behaviours including speeding, drink driving, driving while fatigued and not wearing a seatbelt.

<https://tinyurl.com/27jhzs8n>

“Huge concern” as 646 gardaí injured so far this year

The Garda Commissioner has told the Oireachtas Joint Committee on Justice that it is of “huge concern” that 646 gardaí were injured while serving the public since the start of the year to the end of September 2023. In his opening address to the committee the Commissioner said that supporting garda personnel faced with trauma, crisis or mental health challenges is a priority for him. He also pledged to invest in continuous training, development and wellbeing supports.

<https://tinyurl.com/28cdtt8y>

Bullying and burnout “rife” within the Gardaí

A Garda Representative Association (GRA) survey of 40 former members has described a “worrying work culture” as gardaí report feeling undervalued and overworked. The GRA said that An Garda Síochána is in crisis with officers leaving the force over morale and working conditions. It reported that 107 members of garda rank resigned from the force in 2022 and so far this year numbers of those resigning have reached 106, with many of them describing a worrying work culture where bullying, mental stress and burnout were rife.

<https://tinyurl.com/mt8vwzdi>

HSA “greatly concerned” about injuries at marts

A senior HSA inspector has said that he is “greatly concerned at the continued number and severity of injury incidents at marts, including recent fatalities”. In a letter to mart managers he stated that the “safety, health and welfare of all persons attending at marts is the responsibility of the entity (co-operative or company), managers and persons in charge of the place at work.” The HSA also sent detailed information and guidance on safety with cattle, specifically at marts and lairages, to mart managers. The inspector emphasised the importance of carrying out and acting on mart specific risk assessments and ensuring the safe operation of facilities.

<https://tinyurl.com/sh2yz9bd>

Port authorities hail successful port safety week

During the last week of October, the port authorities of Ireland joined together through the Irish Ports Safety Forum to host and promote the third Irish Port Safety Week. Its aim was to highlight and enhance collective safety responsibility and awareness for all port users. Events were held on differing themes throughout the week including Port Golden Rules, Class 3 PPE, emergency response, traffic management, employee wellness, water safety and safe and healthy work in the digital age.

<https://tinyurl.com/yc8aby9m>

Women of Honour urges Tánaiste to withdraw comment

The Women of Honour group has expressed outrage over a “flippant remark” from the Tánaiste in response to its request to expand the terms of reference at a tribunal of inquiry into the Defence Forces. The tribunal of inquiry will examine the effectiveness of the complaints processes in the Defence Forces in respect

of workplace incidents relating to discrimination, bullying, harassment, sexual assault and rape. In response to calls for the Safety, Health and Welfare at Work Act to be explicitly included in the inquiry's definitions of complaints processes, the Tánaiste responded in a letter that this legislation cannot be included. He said it "would be very broad and could conceivably include 'trips, slips and falls' that may have occurred in the workplace". The Women of Honour group has asked the Tánaiste to "immediately withdraw" his remark, saying that he is seeking to equate allegations of rape, sexual assaults and "other outrages" with low-level slips, trips and falls.

<https://tinyurl.com/52db8jyr>

HSA to inspect Defence Forces work practices

The HSA is sending a team of inspectors into the Defence Forces to examine work practices amid allegations of bullying and sexual harassment. A senior inspector with the HSA said in a letter to the Defence Forces that a "significant regulatory response" is needed to address concerns raised by serving and former members of the military. This came about after an Independent Review Group found the force is not a safe working environment. The process will include on-site inspections, desktop evaluations, specialised referral inspections and advanced requests for documentation.

<https://tinyurl.com/3xm2pc32>

Criticism over workplace fatality investigation delays

The HSA has been criticised over its delay in completing an investigation into a fatal incident at a waste recycling facility in Dublin over two years ago in which a young Louth man was killed. Lawyers for the deceased man's family have expressed concern at a sitting of the Coroner's Court over ongoing delays in submitting a file to the Director of Public Prosecutions to seek direction on whether there should be a criminal prosecution over his death. A HSA inspector has said it was a "complex case" and that it has been a "thorough investigation" which he hoped would become "apparent in time". The coroner adjourned the inquest for mention to a date in December.

<https://tinyurl.com/3x6mwjxt>

Gardaí shocked at 12-year-olds driving tractors on national roads

Gardaí were shocked after finding children driving tractors on a main road during a weekend event in Co. Donegal. Children as young as 12 were driving on a national road during a tractor run. Officers said that some of the children

taking part were so small that they would have struggled to reach the pedals in the machine and might not have been strong enough to drive a tractor. A garda spokesperson said the event organisers and members of An Garda Síochána have a duty of care to the public and that road safety must take a priority.

<https://tinyurl.com/4fu9fac7>

“A miracle no one was killed” following building collapse

Residents of a Mayo village were left shocked after their local pub was “literally brought to the ground”. following an incident in which the pub collapsed into a pile of debris onto the main street of the village. The pub had been in operation until closing time the night before the collapse. Five people staying in an Airbnb on the premises were taken to hospital for treatment of their injuries which are believed to be non-life-threatening. One of the five was trapped under the debris for almost an hour and had to be rescued by the emergency services. The HSA has been notified and an investigation has been launched.

<https://tinyurl.com/ydsu7rip>

Survey highlights workplace impact of menstrual health

According to a recent survey by a major trade union, 43% of women surveyed have had to take time off due to issues relating to menstrual health or the menopause. The research also shows that 28% of respondents suffered financial impact from taking time off due to menopause or menstruation issues; 60% of women did not feel comfortable discussing menstrual health issues and 95% said they would welcome workplace menstrual health policies.

<https://tinyurl.com/4vtt2wvd>

HSA campaign focussed on renewable energy installations

The HSA recently carried out an inspection campaign targeting renewable energy installations including wind farms, solar farms and anaerobic digestion facilities. This was the first inspection campaign of its kind to be carried out by the HSA due to a rapid growth in the renewable energy industry. The key hazards the HSA focussed on in the campaign included excavations, lifting operations, working at height, electrical safety, gas safety and emergency response plans.

<https://tinyurl.com/44c6pxsf>

New requirements for quad bikes now in effect

From 20 November 2023 all operators of quad bikes or all-terrain vehicles

(ATVs) in all workplaces must have successfully completed a Quad Bike Training Course provided by a registered training provider to a QQI Standard or equivalent. All ATV operators must also wear appropriate head protection while operating a quad bike.

<https://tinyurl.com/27bvarcr>

HSA urges farmers not to enter slurry tanks

The HSA has urged farmers not to enter slurry tanks in order to inspect concrete slats in cattle sheds. A senior inspector with the HSA said that farmers should check their slats once or twice a year at least but that they should ask professionals to inspect them and assess their structure. He said that no-one should enter the tank to view the slats stating that slats are a “no-go area”. The advice follows a close call in Co. Offaly where a concrete slat gave way in a livestock shed. Two weaning heifers fell into the tank below but the farmer managed to rescue the animals with the help of a neighbour’s digger.

<https://tinyurl.com/2p8xt56z>

Research finds over 25% of farmers are burnt out

A recent study by Dublin City University (DCU) has found that more than a quarter of farmers are burnt out while half are getting poor sleep, which researchers says raises the potential for farm-related injuries. The study found that 62.7% of farmers are getting less than 7 hours’ sleep a night, with existing research suggesting that sleeping less than 7.5 hours is associated with increased potential for farm-related injuries. The research was funded by the Department of Agriculture, Food and the Marine and surveyed 351 farmers across the country.

<https://tinyurl.com/yeysrcvm>

UK NEWS

HSE publish annual statistics for 2022/23

The Health and Safety Executive has published its *Annual Statistics on Work-related Ill Health and Workplace Injuries* for 2022/23. The figures show that 135 workers were killed in work-related accidents in 2022/23, while 561,000 workers sustained a self-reported non-fatal injury in the workplace during the same period. The statistics also revealed that 1.8 million workers reported they were suffering from work-related ill health in 2022/23 with approximately half of these cases down to stress, depression or anxiety. The current rate of self-reported

work-related stress, depression or anxiety is higher than the pre-pandemic level.

<https://tinyurl.com/27mmvk37>

One dead, four missing after cargo ship sinks

One sailor has died and four others are missing after a British cargo ship sank following a collision with a vessel in the North Sea. Germany's Central Command for Maritime Emergencies said two sailors were rescued but the body of one man had been recovered following the incident. A search and rescue operation began after the collision and a nearby cruise ship also helped with the search. The shipping company which owns the cargo ship described the incident as "ongoing" and said it is working with local authorities.

<https://tinyurl.com/yc792tkb>

Funfair manager jailed after 3-year-old girl dies

An operations manager at a funfair company has been jailed for six months and disqualified as a director for five years after a three-year-old girl died on a beach in England. The funfair company he was working for has been fined £20,000. The inflatable trampoline that the girl had been playing on exploded, ejecting her high into the air. She landed on the beach and sustained fatal head injuries. A nine-year-old girl who was also playing on the trampoline suffered minor injuries. Charges were brought against the funfair and its operations manager. The investigation found that the manager, on behalf of the company, had imported the inflatable trampoline into the UK from China in 2017 and had put it to use without carrying out any of the required testing and certification to ensure it was safe to be used by the public. The company pleaded guilty to two sections of health and safety legislation and was fined £20,000 and ordered to pay £288,475.62 in costs. The operations manager pleaded guilty to offences of having consented to or connived in each of the company's two offences, or those being attributable to his neglect. He was sentenced to six months in custody for each offence, to be served concurrently.

<https://tinyurl.com/3wdrzxd>

Company fined £1.275m following fatal crush incident

A company in England has been fined £1,275,000 after a 26-year-old man was crushed to death during maintenance work at a quarry. The man died after becoming trapped between a conveyor and a feed hopper. The man, who was working as a contractor on a night shift team, had been standing on a conveyor

located under the feed hopper that had not been effectively isolated - through cutting the power - before the repair work started. The conveyor was then inadvertently switched on, trapping the man against the feed hopper and fatally crushing him. The company pleaded guilty to breaching two sections of health and safety legislation and was fined £1,275,000 and ordered to pay £200,000 in costs.

<https://tinyurl.com/2x64zzzk>

Two firms fined £240k after cradle falls

Two access equipment firms have been fined a total of £240,000 after two men working on a construction site were involved in an accident that “could have ended in a double tragedy”. The two men were working in a cradle at level nine of a residential tower under construction in London. The support beams for the cradle had been fitted with the wrong-sized end stops which resulted in it rolling off the end and crashing to the ground below. One of the men suffered six broken ribs and a punctured lung and the other man was off work for six weeks. Both companies pleaded guilty to breaching a section of health and safety legislation and were fined £120,000 each plus costs.

<https://tinyurl.com/mkmmkjut>

Higher risk of injury to gig riders

The Institution of Occupational Safety and Health (IOSH) review of two recent studies on road injury risks experienced by people who deliver food on motorcycles in relation to the business model in which they work and solutions for managing their safety. The research concluded that more needs to be done to make gig companies embed practices that do not increase risks for delivery drivers. Some of the recommendations suggested - both by riders and the study authors - included only allocating and accepting jobs when the rider is parked, monthly training in safe riding and better safety equipment provided by app companies. IOSH concluded that, while taking the recommended suggestions into consideration, there is vast scope for OSH practitioners to develop, advise and monitor safety practices in this growing sector.

<https://tinyurl.com/yc792tkb>

EUROPEAN NEWS

Calls for professional training for van drivers

The European Transport Safety Council (ETSC) together with pedestrian,

cyclist and transport workers groups have penned an open letter to Members of the European Parliament (MEPs). The letter addresses the upcoming revision of the EU Driving Licence Directive (2006/126) and emphasises the need for additional professional training for van drivers, similar to the requirement imposed on bus and coach drivers. The primary stated objective of the proposed revision is to strengthen road safety and contribute to the EU's goal of reducing road deaths and serious injuries by 50% by 2030. To this end, the organisations argue that the introduction of mandatory training for professional van drivers is essential.

<https://tinyurl.com/mr25d72w>

Tesla rejects H&S claims at German plant

Tesla has rejected claims by a German union and recent media reports that health and safety provisions at its Gigafactory near Berlin were inadequate, stating that protecting workers' health was a top priority. The US electrical vehicle manufacturer came under scrutiny after German media, citing local authority documents, reported that an unusually high number of work-related accidents requiring workers to take at least three days of sick leave were occurring at the plant which employs around 11,000 workers. In a written statement, Tesla said workers received training on necessary safety measures as well as protective clothing. It added that the plant was subject to regular checks by local authorities to ensure safety measures were being respected.

<https://tinyurl.com/2m954ybn>

WORLD NEWS

Nearly 3 million workers die of work-related accidents and diseases

The International Labour Organisation (ILO) has estimated that nearly three million workers die every year due to work-related accidents and diseases, an increase of more than 5% compared to 2015. Most of these work-related fatalities, totalling 2.6 million deaths, stem from work-related diseases. Work accidents account for an additional 330,000 deaths, according to the analysis. Circulatory diseases, malignant neoplasms and respiratory diseases rank among the top three causes of work-related death. The new data was published in a recent ILO report, *A Call for Safer and Healthier Working Environments*.

<https://tinyurl.com/yc2n7ayj>

All 41 workers trapped in Indian tunnel rescued

Indian rescuers have safely brought out all 41 workers from a collapsed Himalayan road tunnel after a marathon 17-day engineering operation to free them. The men had been getting food, water, light, oxygen and medicines through a pipe but efforts to dig a tunnel to rescue them with high powered drilling machines were frustrated by a series of snags. It was reported that three person teams were taking turns working at the rock face inside a metal pipe, just wide enough for someone to squeeze through. While one worker drilled, a second scooped up the rubble by hand and a third placed it on a wheeled trolley to be pulled out. Authorities have not said what caused the collapse but the region is prone to landslides, earthquakes and floods.

<https://tinyurl.com/mxky3rar>

Australian bouncy castle firm charged over child deaths

Australian authorities have charged a bouncy castle operator over a 2021 disaster in which six children were killed after strong winds lifted one of the inflatable play structures into the air. The company has been charged with breaching health and safety legislation and can be punished with a fine of up to Aus\$1.5 million (€900,000) for the alleged offence.

<https://tinyurl.com/ak5ek5xs>

New Zealand company found guilty over volcano disaster

A New Zealand company has been found guilty for failing to minimise risk at the time of the White Island (also known as Whakaari) volcanic eruption in 2019 in which 22 people were killed. Of the 22 people killed, 19 were tourists and two others were tour guide employees. Another 25 people were also injured, suffering from burns. At Auckland District Court, the company was found guilty of breaches of health and safety legislation and will face up to NZ\$1.5 million (€840,000) in fines. Six other parties pleaded guilty to health and safety failings at the beginning of the trial with a sentencing hearing set for February 2024.

<https://tinyurl.com/2p979v3k>

Man killed by malfunctioning robot in South Korea

A man was crushed to death by a robot in South Korea after the machine apparently failed to differentiate him from the boxes of produce it was handling. The man, a robotics company worker in his 40s, was inspecting the robot's sensor operations at a distribution centre for agricultural produce. The industrial robot, which was lifting boxes filled with bell peppers and placing them on a pallet, appears to have malfunctioned and identified the man as a box. He was

taken to hospital with crush injuries but later died.

<https://tinyurl.com/2nmnr27c>

FATALITIES AND ACCIDENTS

Man dies in Co. Westmeath workplace accident

A man has died following a workplace accident in Co. Westmeath. It is understood the man in his 30s died after falling from a height. The HSA has launched an investigation into the incident.

<https://tinyurl.com/4pm3up2d>

Plumber dies in workplace accident

A plumber died in a workplace accident while working in a house in Dublin. The man, who was in his 50s, was electrocuted while working in the house. Separate investigations by An Garda Síochána and the Health and Safety Authority are being carried out into the cause of the accident.

<https://tinyurl.com/mrdycpic>

Man killed in farm accident in Co. Kerry

A man in his 60s has died in a farm accident in Co. Kerry. It is understood that the man was killed in an accident involving a shed door at a building on the property. An Garda Síochána and the HSA have been notified about this fatal incident.

<https://tinyurl.com/muvz68ek>

Man dies in Co. Leitrim farm accident

A 58-year-old man has died in what is believed to have been a farm accident in Co. Leitrim. Gardaí and emergency services were alerted to the fatal incident at a property in Co. Leitrim. The HSA has confirmed that it is investigating the death.

<https://tinyurl.com/4tn8sdu4>

Man dies in Co. Wicklow workplace accident

A man in his 60s has died following a workplace accident at a premises in Co. Wicklow. Gardaí attended the scene of the accident where the man was pronounced dead. The HSA is investigating the incident.

<https://tinyurl.com/567s7jdx>

Man dies in Co. Wexford farm accident

A man in his 70s has died following a farm accident in Co. Wexford. The HSA confirmed that it has launched an investigation into the incident. It is believed the man was sowing winter wheat alongside his son at the time of the accident. An eyewitness said the man was fatally injured when he got caught underneath the moving tractor and trailer. A post-mortem examination will be held and the coroner has also been notified.

<https://tinyurl.com/293tc2nr>

Man killed in Co. Carlow farm accident

A man in his 60s has died in a farm accident in Co. Carlow. The man was discovered at his farm and emergency services were alerted to the incident but he was pronounced dead at the scene. The HSA has been notified about the fatality.

<https://tinyurl.com/2js5ur3a>

IN THE COURTS

Man settles assault on work premises case for €2million

A father of four who was viciously beaten with a crowbar and ended up with life-changing catastrophic injuries including a brain injury has settled a High Court action for €2 million. The claimant was subjected to a terrifying and vicious assault in the four-minute attack as he loaded up a work van in a Cork business park eight years ago. Two young men were later jailed by the Circuit Criminal Court after pleading guilty to assault causing serious harm. In the High Court, allegations of negligence and contributory negligence levelled by the man's employer and the business park operators against him over the attack were formally withdrawn as part of the settlement. It was noted that the allegations had greatly upset the claimant and that they centred on a crowbar he had picked up when he saw the two men trying to break into his van in the business park. The man sued his then employer, the operator and managers of the business park and the two assailants. He claimed against his employer that there was an alleged failure to provide a safe place of work and against the business park operators that there was an alleged failure to take any or any adequate steps to protect him from the potential of assault. The claims were denied and later formally withdrawn.

<https://tinyurl.com/4p4xzx3v>

Care assistant awarded €400k after ladder fall

A care assistant who sued the Health Service Executive (HSE) after suffering injuries in a fall from a ladder at a Limerick maternity hospital seven years ago has been awarded almost €400,000 in damages. The care assistant was awarded €377,639.71 in general and special damages at a personal injuries assessment hearing before the High Court. The 63-year-old woman was on duty at the hospital when she fell while descending a ladder she had used to retrieve toiletry supplies from a height. She sustained injuries to her back, chest, shoulder and ankle which left her unfit for work thereafter. The judge said doctors for both parties in this case found the injuries complaint to be “genuine” and that she was satisfied the significant back pain from which the care assistant continues to suffer was triggered by the accident.

<https://tinyurl.com/2t4sas5u>

Construction worker awarded €195k after crush injury

A construction worker who suffered a severe crush injury to his leg when a digger on a building site reversed into him has been awarded a total of €195,000 by the High Court. The man was moving bags of rubbish on the building site when the digger reversed and collided with him, causing him multiple fractures to his right foot. Making the award the judge noted that the man later had to have open reduction surgery and 13 screws and two plates were inserted into his right leg. In the proceedings it was claimed that there was a failure to take any reasonable steps or precautions for the man’s safety and that he had been exposed to a risk of damage or injury when his employers knew or ought to have known. It was further claimed there was a failure to see or heed the presence of the worker and a failure to give any signal or warning of the driving of the vehicle. The judge awarded the employee €120,000 in general damages along with special damages of €75,000.

<https://tinyurl.com/ynda4ce8>

Garda sergeant awarded €65k for discrimination

The Workplace Relations Commission (WRC) has ordered An Garda Síochána to pay €65,000 to a sergeant injured in the line of duty who said he was left to “sit and rot” when a new superintendent confined him to office work. Upholding the sergeant’s disability discrimination claim, a WRC adjudicator said the superintendent “should have spoken to his predecessors” who had supported the complainant in carrying out his duties. The matter was not considered to be of a nature warranting criminal or disciplinary proceedings against the

superintendent but he was ordered to complete a training course in response. Ruling that the Garda Sergeant's discrimination claim was "well founded", the adjudicator awarded him €65,000 in compensation.

<https://tinyurl.com/4e7cwwym>

Workman injured while fleeing seagulls settles case

A 47-year-old man has accepted an undisclosed settlement after being injured by a door while escaping a pair of nesting seagulls on the roof of a Dublin office building. The man had been seeking €60,000 in damages against six companies. The man, a mechanical technician, received four stitches to a deep hand wound on the day of the incident, missing a couple of days work and having to return after a week to have the stitches removed. He sued his employer and also a number of companies associated with the management of the building. He claimed all of the defendants owed him a duty of care and had been negligent in allowing seagulls to nest in a work area and failed to take adequate measures to control the number of seagulls. Seagulls are protected birds and it is illegal to disturb them during the nesting season between March and June.

<https://tinyurl.com/mr27wy9t>

Company fined €50k following fall from height

A company has been fined €50,000 at the Central Criminal Court for breaches of health and safety legislation. The prosecution arose following an incident at a warehousing facility in Dublin in which an employee suffered serious injuries when he fell from a height onto a concrete floor. The company pleaded guilty to two offences under health and safety legislation.

<https://tinyurl.com/566wam4u>

Employee awarded 2 years' salary in sexual harassment case

The Workplace Relations Commission (WRC) has awarded an employee the maximum permissible amount of 2 years' gross remuneration in a sexual harassment case against her employer. The WRC adjudicator said he was making the maximum award due to how poorly the employer followed its own Dignity at Work policy at both investigation and appeal stage of the complaint. The woman alleged that she was sexually harassed and that her employer failed to deal with her complaint in accordance with its own procedures. Her employer countered that they did follow their procedures and dealt with the matter accordingly. The adjudicator stated that there are many deficiencies in

the initial investigation and the appeal investigation and found that the employer cannot avail of the defence where an employer can show that it took such steps "as are reasonably practicable" to deal with allegation of sexual harassment.

<https://tinyurl.com/57wtakj9>

Assessment quashed due to inadequate information

The Personal Injuries Assessment Board (PIAB) must reassess damages to be awarded to a woman for soft tissue injuries allegedly sustained when an oven fell on her at work, the Court of Appeal has ordered. The ruling will have implications on how PIAB explains its assessment of claims under personal injuries guidelines that have slashed minor injury awards by 50% since they were introduced in April 2021. The appeal court agreed with the 41-year-old hospital catering assistant that PIAB failed to give sufficient reasons for valuing her shoulder, back and leg injuries at €11,000. A three-judge court appeal ruled that the basis of the calculation of a PIAB assessment is a "matter of critical importance" to a claimant. The court of appeal gave a provisional view that the claimant is entitled to her legal costs in both the High Court and Court of Appeal and that it would quash PIAB's assessment and refer the claim back to the board for fresh consideration.

<https://tinyurl.com/5dcfxufn>

Sawmill admits H&S breaches following incident

A sawmill has pleaded guilty to two health and safety breaches after a 24-year-old employee had his right thumb completely cut off in a workplace accident. The first breach referred to a failure to provide information, instruction, training and supervision in respect of a moulding machine at the premises that was necessary to ensure the safety of employees. The second related to a failure to manage and conduct work activities to ensure the safety of employees, and in particular the failure to implement risk assessments concerning the locking out and isolating of machinery, as a consequence of which, the employee suffered injuries. The judge assessed fines totalling €5,000 plus costs against the defendant company agreed at €2,500.

<https://tinyurl.com/y8f2esxz>

INQUESTS

Inquest into the death of Coast Guard volunteer resumes

The inquest into the death of Coast Guard volunteer, Caitriona Lucas, who died

in a sea rescue mission off the Co. Clare coast in 2016, has resumed. A Coast Guard volunteer who survived the tragedy that claimed the life of Caitriona Lucas said their boat was struck by a freak wall of water that capsized their boat and tossed the three crew into a sea that was like “a washing machine”. A second volunteer who survived the tragedy said that had Ms Lucas’s helmet not been ripped off by the freak wave, she might likely have survived their capsizing and being driven into a semi-flooded sea cave. The inquest heard that a Coast Guard unit was short of volunteers on the day of the tragedy and asked for assistance from another unit. Ms Lucas volunteered to join the unit. The crew had not been made aware of the fact that the bay that they were approaching could witness “peculiar” waves and that vessels reversed into the inlet for safety reasons. They were also unaware of any specific dangers posed by the waters involved, with sea conditions much better than the previous day. The members of the crew gave harrowing details of their experiences on the day of the tragedy. The inquest also heard a number of safety issues that were raised, the Marine Casualty Investigation Board report which found that the Coast Guard did not have an effective safety management system and the decision of the Director of Public Prosecutions not to press criminal charges following a report forwarded by the HSA. The inquest is expected to last four days.

<https://tinyurl.com/k8epr6n6a>

Teenager died after falling from defective tractor

A 14-year-old boy, who “adored” farm machinery, died after he fell head-first from a defective tractor. Had the tractor not been defective the child would not have fallen to his death, the Coroner’s Court heard. The boy had asked for a lift on the tractor at a farm where his father worked. As they were driving down a straight section of road, the boy was leaning against the door which popped open and he fell out. A jury of five women and one man returned a verdict of death by misadventure. They made five recommendations to improve farm safety, which included that a safety statement be issued to all employees as part of their contract and they also called for adjustments to legislation governing the safety of work vehicles.

<https://tinyurl.com/4trfx7f>

Inquest told investigation into boy’s death is “in final stages”

A file on the investigation into the death of a boy following a tragic accident in a hotel swimming pool last year is to be forwarded to the Director of Public Prosecutions (DPP) in the near future, an inquest has heard. The six-year-old

boy died at a children's hospital in Dublin two days after he got into difficulty while playing in a hotel swimming pool in Co. Offaly. A HSA inspector informed a sitting of the Coroner's Court that an investigation by the HSA into the boy's death was in its final stages. At a previous hearing, the boy's mother burst into tears over the long delay at holding an inquest into her son's death. The HSA inspector said he expected the file on the case would be forwarded to the DPP "within the coming weeks" to determine if there should be any prosecution in relation to the boy's death.

<https://tinyurl.com/bdcp49mf>

STATISTICS

Thirty-two people have been killed in workplace accidents since 1 January 2023 - Correct at 28 November 2023. Source: www.hsa.ie

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

PUBLICATIONS

Steering safety and health for transportation and storage workers

EU-OSHA has released the report *Transportation and storage activities - Evidence from the European Survey of Enterprises on New and Emerging Risks (ESENER)* examining OSH management in the sector by looking into the findings across the three survey waves (2019, 2014 and 2009) and carrying out interviews with sector representatives. The report identifies influencing factors like enterprise size and the main risk factors among workers such as prolonged sitting and risk of accidents with machines. The publication also explores the most frequent health problems and proposes tailored policy pointers to improve OSH in the sector.

<https://tinyurl.com/69xbnu4d>

Ensuring psychosocial wellbeing for health and social care workers

Psychosocial risks are particularly common in the health and social care sector and include high workloads, third-party violence, irregular working hours and high emotional job demands. These can impact both workers' mental and physical health. EU-OSHA's latest discussion paper *Psychosocial risks in the health and social care sector* presents an overview of psychosocial risks in the sector and their prevalence and discusses effective interventions to prevent, reduce and manage psychosocial risks in health and social care workplaces.

<https://tinyurl.com/3pmry6ek>

RESEARCH/STUDIES

Occupational cancer risk factors in Europe - Workers' Exposure Survey

The EU-OSHA Workers' Exposure Survey on cancer risk factors in Europe (WES) provides information on workers' probable exposure to 24 known cancer risk factors during their last working week. WES was conducted in Germany, Ireland, Spain, France, Hungary and Finland in 2023. This publication presents the first findings of WES highlighting the most common occupational exposures among the cancer risk factors considered, the circumstances of exposure and the link between exposure and some working conditions. Results show increased risk for workers in micro or small-sized workspaces compared to medium-sized or large workplaces and for those working over 50 hours a week.

<https://tinyurl.com/33486y9x>

GUIDANCE

Guidance on Safety with Patient Hoists and Slings

The HSA recently published *Guidance on Safety with Patient Hoists and Slings in Health and Social Care Settings*. Hoists and slings are used in many health and social care settings to assist in the moving and handling of patients and reduce the degree of manual handling required by the carer. This information sheet gives general information on working safely with hoists and slings, aimed at the prevention of occupational accidents.

<https://tinyurl.com/yc5cs8wh>

Is your workplace “lung friendly”?

Many workers may be living with some form of lung condition such as asthma or chronic obstructive pulmonary disease which means working in a lung-friendly workplace is important. This short article includes recommendations to make workplaces more lung friendly for workers including reducing the risk of mould and pests and establishing a fragrance-free workplace policy.

<https://tinyurl.com/42a4f5j3>

RESOURCES

EU-OSHA work-related psychosocial risks and mental health

The European Agency for Safety and Health at Work (EU-OSHA) has launched a new thematic web section on psychosocial risks and mental health. This new web section outlines EU-OSHA's research project (2022–2025) which aims at providing information for policy making, prevention and awareness raising. The research focuses on facts and figures, management of policy and practice, guidance and tools, insights into handling violence and return-to-work approaches, all while taking into account diversity and vulnerable groups.

<https://tinyurl.com/48784fxc>

Stay safe and keep healthy when working from home

With telework being very common after the pandemic, a new Online interactive Risk Assessment (OiRA) tool can now assist both employers and teleworkers in creating safer and healthier workspaces at home. The tool is not sector-specific and can easily be put to use. It supports employers by generating policy-based risk statements, and teleworkers by offering safety and health related tips ranging from workspace organisation and workplace environment to psychosocial risks that teleworking can bring about.

<https://tinyurl.com/3jk8ckj7>

Health and Safety in the Workplaces for Apprentices

The HSA has developed this short awareness raising course on Health and Safety in the Workplace for Apprentices. It provides a general overview of safety, health and welfare and the key areas that apply to apprentices at work. This course is also suitable to deliver in a classroom setting or group setting using the Group Manager facility.

<https://tinyurl.com/366rrf6f>

Risk assessments for private security guards

The EU-OSHA has developed five Online Interactive Risk Assessment (OiRA) tools specifically for the private security sector. Workers in this sector report experiencing a high degree of work interruptions, extended periods of static sitting, risks of falling and tripping as well as exposure to different types of third-party violence. It is essential that their employers conduct risk assessments in a regular manner and follow up accordingly with implementing preventive measures.

<https://tinyurl.com/3yixjmj2>

SAFETY COMMENTARY/ADVICE

Is the air quality in your office fit for purpose?

With the new Code of Practice for Indoor Air Quality now in operation, this article takes a look at what this means for employers and employees. This article includes some key regulatory aspects regarding steps that employers should take and specific guidance on how to meet these regulatory requirements. There is also guidance on five ways for schools and workplaces to improve ventilation.

<https://tinyurl.com/bdhvmd2x>

The subtle signs of workplace bullying

This article gives a good overview of workplace bullying and offers advice on how to deal with it. It takes a look at the types of workplace bullying, what happens when the bullying is done by a manager and what victims of bullying should do.

<https://tinyurl.com/cm2a29x4>

PUBLIC ENQUIRY

Public consultation on new COP - Safe Industrial Truck Operation

This proposed new Code of Practice (COP), entitled *Code of Practice - Safe Industrial Truck Operation* is intended to replace the existing *2001 Code of Practice Rider-operated lift trucks: operator training* but will also extend the scope of the Code of Practice to cover more than training. According to the Health and Safety Authority, a new Code is necessary to reflect legislative progress and changes in work practices, training and qualification landscape since the time the original COP was introduced. As part of the process of developing a new COP the HSA is now seeking input from interested stakeholders through a public consultation. The closing date for receipt of submissions is 8 January 2024.

<https://tinyurl.com/jh9uemzu>

SAFETY IN VIDEOS

New video launched on chainsaw safety

A new chainsaw safety video by Teagasc has been launched by the Department of Agriculture, Food and the Marine. It is designed to educate users with the knowledge and skills necessary to operate chainsaws effectively and

safely. Up to 4% of farm workplace deaths and an estimated 6.5% of injuries are associated with chainsaw and timber-related work. FBD Insurance, Farm Safety Partnership Advisory Committee and the HSA supported the production of the video.

<https://tinyurl.com/8ksan6rh>

Graphic images of crashes at level crossings

Irish Rail has released videos of vehicles crashing into level crossings in a bid to raise awareness of the need to be safety conscious when interacting with the railway.

<https://tinyurl.com/2znacbbj>

Maintaining Mental Health and Safety in Challenging Time

Teagasc recently held a webinar on *Maintaining Mental Health and Safety in Challenging Time*. The webinar was chaired by Mental Health Ireland and featured speakers from University of Galway, Teagasc and also a farmer and mental health advocate. Topics covered include psychological challenges to mental health and safety in Irish agriculture, current challenges and remedies for mental health challenges, measuring farmer stress and links between stress and health, and strategies for positive mental health in agriculture.

<https://tinyurl.com/45ytt84b>

NISO TRAINING AND EVENTS

Training scheduled at NISO Training Centre, Dublin 12 AND/OR Online

Safe Pass; SOLAS (1 day); Clonmel, 9 December [BOOK NOW](#)

DSE/VDU Risk Assessor Training (online); 14 December [BOOK NOW](#)

Manual Handling Basic NISO Certificate (half day); 15 December [BOOK NOW](#)

Safety Representation (Hybrid); NISO Certificate (2 day); 19–20 December [BOOK NOW](#)

NISO Certificate in Safety, Health and Welfare at Work

13 weeks / 2 hours per week [BOOK NOW](#)

TUS Athlone: Technological University of the Shannon; 12 February 2024

(Online / class attendance required on 2 evenings)

Castlebar: ATU Castlebar Campus; 20 February 2024

Dublin / Online: 20 February 2024

National Events

NISO National Annual General Meeting; Castletroy Park Hotel, Limerick; 27 April 2024

NISO/NISG All Ireland Safety Quiz Final; Castletroy Park Hotel, Limerick; 27 April 2024

NISO Annual Safety Conference and Trade Exhibition; Killarney, Co. Kerry; 11 October 2024

NISO/NISG All Ireland Safety Awards Gala Dinner; Killarney, Co. Kerry; 11 October 2024



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