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## WorkSafe warning on working at height

Two men are recovering at the Royal Melbourne Hospital, one with spinal injuries, after falling 3.8 metres at a Preston carpet manufacturing business last week. The two men were dismantling a piece of equipment when a component shifted causing them to fall on to a concrete floor. The most seriously injured man has a fractured collar bone and spinal injuries. The incident follows two falls fatalities last weekend.

A plasterer aged in his 60s died at the Alfred Hospital on Saturday after a fall at a Northcote house on Friday 11 May.

On Sunday 13 May, a man who was also in his 60s died at Quambatook in the state's north after falling from a ladder.

WorkSafe's acting Executive Director, Eric Windholz, said ensuring safe work practice was a matter of life and death. "With another two fatalities and another serious incident now is the time to make sure anyone working at height has appropriate protection." "Without it, the chance of death or permanent injury is high. There have been fatalities from falling off stepladders in shops, but the risks increase greatly as the height does. "Before it happens you can never tell whether you'll get up and walk away, end up in a wheelchair or die. "What you can do is ensure appropriate steps are taken to reduce the risk of a fall as far as practicable."

## OHS gone mad

English Labour peer Lord Berkley has dubbed it a "case of health and safety gone mad" after workers at the Health and Safety Executive were banned from moving furniture around their offices. Staff members have been told to book a porter to complete the task and allow two days for it to happen. And, signs reading "Do not lift tables or chairs without giving 48 hours notice to HSE management" have been plastered around the office. Lord Berkley came across the signs when attending a meeting at the HSE and raised the issue in the House of Lords. "Are we seriously supposed to wait two days before we can rearrange a room so we can all see each other in a meeting?"



# WORKSTREAMS NEWS

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## WorkCover cheats cop it!

A 56 year old woman was convicted of WorkCover fraud last week when she pleaded guilty to three counts of fraudulently obtaining payment and two counts of providing false information.

WorkCover Authority Prosecutor Penny Lucas said that in November 2003 Rimrodt was working as a financial controller at Owens International, Tullamarine, and earning \$85,000 a year. Ms Lucas said about this time Rimrodt slipped at work and suffered a shoulder injury.

In April 2004 her WorkCover claim was accepted and she was being paid \$1050 a week compensation. Rimrodt regularly provided declarations to WorkCover that she was not employed in other work while receiving benefits.

Ms Lucas said surveillance conducted between July and October 2005 showed Rimrodt travelling to Lennox Electronics Australia at Laverton North where investigations revealed she was employed as a credit controller.

The prosecutor said that between September, 2004 and August, 2005 she received \$59,466.84 in wages, earning between \$1000 and \$3000 a week in addition to her weekly WorkCover payments of \$1050.

Bank records also showed Rimrodt worked as a credit controller for Concord Park collecting \$2000 fortnightly again while in receipt of WorkCover payments.

Magistrate Jon Klestadt said that for 13 months Rimrodt made false declarations about her incapacity to work and benefited from WorkCover to the amount of \$54,000. Rimrodt was convicted on all counts, sentenced to six months jail suspended for two years and fined \$5000 with \$2000 costs. She was also ordered to pay compensation of \$54,000 to the Victorian WorkCover Authority.

In another fraud case heard last week in the Dandenong Magistrates Court, Mr Richard Gilling of Noble Park was convicted to one month jail after making a false declaration to the Victorian WorkCover Authority. In 2004 Richard Gilling injured his lower back while working as a labourer with a scaffolding company. He was certified as being unfit for any duties and he formally declared that he was not engaging in any form of employment while receiving weekly workplace injury compensation payments.

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Some months later, Gilling was seen working as a crowd controller at the Prince of Wales Hotel in St Kilda.

A WorkCover investigation found Gilling had worked 59 shifts over a four-month period in 2005, while at the same time receiving compensation payments.

WorkCover Executive director Len Boehm said identifying and prosecuting fraud cases helped protect honest workers, employers and service providers, and maintained the integrity of Victoria's WorkCover scheme.

"Most workers are honest, he said, but a case like this undermines community confidence and support in the WorkCover system."

## First Aid Pride

A new training course for gays and lesbians was launched last week end in Sydney at the Aurora Gallery in Newtown.

It's a one day course run by St John Ambulance and participants will be issued a Senior First Aid Certificate, and be a trained first aider. It's also fully credited by WorkCover.

The course is a little different from most – it is tailored specifically for the gay and lesbian community with a greater focus on drugs, alcohol and sex. St John Ambulance wants to bring the course across all major Australian cities.

## Worker, 18 dies when tyre explodes.

WorkCover inspectors and police are preparing a report for the Coroner into the circumstances relating to the death of an 18-year-old in a industrial accident in Lithgow on Monday 14th May.

The accident occurred around midday at the Lithgow Tyre Services premises in Hartley Valley Road. Police said that Scott Mason, of Bate Street, Portland was changing a tyre on a forklift when the tyre exploded under a pressure of some 100 psi (pounds per square inch).

The steel rim was hurled with force and struck Mr Mason in the face, resulting in severe injuries. The wheel was of a type identified as a 'split rim' constructed in two sections.

## Man fakes asbestosis to black mail Holden

A former Holden team leader tried to blackmail the car manufacturer by pretending to have contracted an asbestos-related disease at work, a court heard last Wednesday.

Michael Edward Cottam, 35, of Redwood Park, is accused of demanding \$500,000 from General Motors Holden in exchange for keeping quiet about developing asbestosis at its Elizabeth factory.

Cottam, who does not have asbestosis, has pleaded not guilty to blackmail but admits sending emails to the company in November 2005 talking about asbestos and asking for money.

## The good news and the bad news

Australia's workplaces are getting safer. Over the seven years from 1996/97 to 2002/03 the number of compensated fatalities fell 40 per cent to 238 in 2002/03. There were also 15 per cent fewer claims made for injuries resulting in one week or more absence from work. Industries making the biggest improvements were electricity, gas and water supply, where injuries dropped by 55 per cent. The bad news for Australian industry is that the median time lost rose from 2.6 to 4 weeks over the same period.

Employees from manufacturing and the transport and storage industries were the most likely to be hurt, followed by the agriculture, forestry and fishing industry and the construction industry. Of the 189 compensated fatalities, the largest number (17 per cent) were from the construction industry, although with a fatality rate double the national average, miners could well argue that theirs is one of the riskiest industries of all.

# WorkCover cost-shifting strategies

What would you do if the WorkCover fund kept getting richer? Well you'd think you would really lower the premium across the board. Wouldn't you?

So what does the government do? It captures the leading spots of the Victorian press by announcing a 10% reduction in broad terms, whilst at the same time it works out incredible ways to shift some of the costs from the scheme onto the employers.

Indian giving, I guess! Let's look at some examples of this extraordinary "magician trick" brought about by our top bureaucrats.

Up until now rehabilitation providers, licensed and monitored closely by the VWA, were paid to provide employers with all sorts of assistance, from return to work to the preparation of return to work plans. Well, the VWA is investing big money to "teach" employers to fend for themselves so as to save that measly 3% of the premium fund that goes to rehabilitation providers. That's great, some of the more naive employers will say. However who is going to do the work that providers are currently doing? Guess! That's right, you and me and every other employer who will have to add bottom line dollars on top of the annual premium that we have to continue to pay, month in, month out.

Another example is the drastic reduction in independent medical examinations and investigations. Once again the war cry is savings! However often the only way to bring a claim to its conclusion is through an independent medical examination, where the specialist can assess the worker, the duties and make a truly independent decision about the injury, its relation to work and a realistic prognosis. Reducing the section 112 independent medical examinations means shifting costs once again. More and more of ACH customers are forced to hire medical specialists and pay them directly because the agent refuses to "play ball". Interestingly, those medical reports obtained outside the VWA scheme can only have an indicative purpose. They are still a valuable tool in the management of a claim but cannot be used in court. The same applies for investigations arranged "privately" through accredited investigators by the employer.

Photos and videos can be quite useful in discrediting the "subject" in the eyes of the treating doctor and the case managers who often are easily fooled.

The conviction of a financial officer found guilty of WorkCover fraud (see previous article) should remind us all of the very real potential that exists for fraud and "swinging of the lead".

## WorkCover warning after man loses his arm.

WorkSafe has launched a new warning to Victorian employers after a 44 year old lost his arm below the elbow when he became caught, whilst adjusting a conveyor belt. The tragic incident happened last week at the Alex Fraser Rock and Crashing Plant in Laverton. The man from Roxburgh Park in Melbourne's north was taken to the Alfred Hospital where he underwent surgery. WorkSafe executive director John Merritt said the incident should send a warning to all companies and workers. "Incidents like this should trigger an instant review of safety in

all workplaces," Mr Merritt said. "It's a matter for workers and employers to identify known and potential hazards and to act to ensure they don't create a safety incident." He said even if there have not been problems in the past, ensuring safe practices and procedures are in place and being used and that equipment is properly guarded can prevent lives being shattered.