



Australian Government

Seafarers Safety, Rehabilitation
and Compensation Authority

SEACARE NEWS

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Chairperson's Comments

It is a great honour for me to be asked by the Deputy Prime Minister, The Hon Julia Gillard MP, to take on the role of Chairperson of the Seacare Authority (the Authority). I am looking forward to working with my colleagues in the Authority and in the maritime industry to fulfil the mission of the Authority in taking a leading role in minimising the human and financial costs of workplace injury in the Australian maritime industry.

I would like to place on the record my appreciation to my predecessors Mr Geoff Gronow and Mr Paul O'Connor for the leadership they have demonstrated during their term as Authority Chairperson. I hope to continue their good work. I have had many years experience in the maritime industry and hope to bring my experience and knowledge to the work of the Authority. I place great importance on the health and welfare of seafarers and appreciate this opportunity to contribute to their continued wellbeing.

These are changing times for the maritime industry with a number of reform processes underway and the Australian Government poised to announce major policy initiatives. The Navigation Act is being rewritten, moves to a single national maritime safety regulatory regime are underway and in Occupational Health and Safety (OHS), the model OHS laws are moving closer to being implemented. However, it is important that in these times of change we do not lose sight of the important work of maintaining and improving on OHS standards. The Authority, under my stewardship, will be doing all it can to ensure that safety standards are not compromised during this the International Year of the Seafarer.

The International Year of the Seafarer sets the scene for this year's Seacare Awards and Conference. The Conference will have a combined OHS and workers' compensation focus and will be held in Melbourne on 27 – 28 October 2010 to coincide with Safe Work Australia Week. The 2010 Seacare Awards will be presented at the conference dinner to be held on 28 October 2010. Details of the awards will be available shortly and I would urge Seacare scheme participants to consider entering the Awards and attending the Conference.

I look forward to meeting those participants in the Seacare scheme I do not know already at the Seacare Conference and at other Seacare events in the years ahead.

Kind regards,
David Sterrett



Introducing the new Chairperson

The Deputy Prime Minister and Minister for Employment and Workplace Relations, The Hon Julia Gillard MP, has appointed Mr David Sterrett as Chairperson of the Seafarers Safety, Rehabilitation and

Compensation Authority (Seacare Authority). Mr Sterrett's five-year appointment took effect from 25 March 2010.

Mr Sterrett is well known to the maritime industry and brings a wealth of experience and knowledge to the position. Mr Sterrett is currently Chair of the Australian Maritime College Board and has held numerous positions in the maritime industry including member of the International Chamber of Shipping's executive committee, member of the Australian Committee of Lloyd's Register of Shipping, member of the Australian Committee of Det Norske Veritas and member of the Australian Maritime Safety Authority (AMSA) Advisory Committee. Mr Sterrett is a former Chair of the Australian Shipowner's Association and has held senior management positions in a number of shipping companies. In 2007 he was awarded a Doctor of Engineering (Honoris Causa) from the Australian Maritime College (AMC).

Claims Management Handbook

The Seacare Authority is preparing a new publication on best practice claims management. The publication aims to assist employees, employers, insurers and other parties involved in the claims management process by:

- providing an outline of the minimum statutory requirements for managing claims under the *Seafarers Rehabilitation & Compensation Act 1992*
- guiding the parties on best practices approaches to claims management to ensure improved rehabilitation and return to work outcomes.

Currently the Seacare Authority is receiving feedback from employers, employee groups, insurers and workers compensation and return to work practitioners on the content of the handbook.

The claims management handbook will be launched as part of the claims management workshop at the Seacare Conference in October 2010.

Seacare HSR Forum 2009

On Thursday 22 October 2009, the Seacare Authority, in association with the Australian Maritime Safety Authority (AMSA), held a Health and Safety Representative (HSR) Forum at the WA Maritime Museum, Fremantle.

The Forum was attended by Seacare scheme Health and Safety Representatives (HSRs), other onboard employees, employer / operator OHS staff, employer and employee representatives, trainers, rehabilitation providers, insurers and the legal profession. The Forum was part of the Authority's activities for Safe Work Australia Week (25 - 31 October 2009).

The theme of the Forum was Involving HSRs and onboard employees in OHS.

The aim of the Forum was to:

- raise the profile of HSRs in the Seacare jurisdiction, to emphasis their role as active and significant players in injury prevention
- indicate the Seacare Authority's support for HSRs, and other seafarers, with regard to the part they play in improving OHS outcomes.

The Forum provided an opportunity to identify the issues confronting HSRs and to share information and knowledge.

More information on the Forum, including the presentations and details on points raised is available on the Seacare website www.seacare.gov.au



Mr Tony Martinovich, Offshore Marine Services Pty Ltd

Seacare Scheme Performance

The performance of the Seacare scheme over the first six months of 2009-10 is summarised as follows:

- 97 claims lodged in the period July to December 2009 compared to 114 for same period in 2008
- injury incidence rate of 31.4 compared to 30.9 for previous year and target of 27.1 for 2009-10
- injury frequency rate of 5.2 compared to 6.7 for previous year
- employees covered by scheme increased by 4.8 per cent to 6,481, while full time employees increased by 4.1 per cent to 4,712
- ships operating in the scheme increased by 25 to 278, while the number of berths increased by 251 to 3,162
- 20 OHS incidents were reported to AMSA compared to 16 for the same period in 2008
- AMSA commenced 51 investigations compared to 21 for the same period in 2008.

Model OHS Laws

On 11 December 2009, the Workplace Relations Ministers' Council (WRMC) endorsed the Model Work Health and Safety Act (the Act). The Act gives effect to the model OHS laws following a review of Australian OHS legislation by an expert panel in 2008 and 2009. Each State and Territory is required to enact the model laws by the end of 2011 with the laws expected to come into effect on 1 January 2012. A copy of the Act is available from the Safe Work Australia web site: www.safeworkaustralia.gov.au/swa/Model+Legislation/

Model regulations and codes of practice to support the Act are being developed progressively. The draft model regulations are expected to be available for public comment in November 2010.

In considering the expert panel's recommendations, WRMC agreed that separate and specific OHS recommendations for high-risk industries should only continue where they have been objectively justified. Even where separate laws can be justified the expert panel recommended that the separate laws be consistent with the harmonised OHS laws. This has implications for the maritime industry and the future content of the *Occupational Health and Safety (Maritime Industries) Act 1993* (OHS(MI) Act).

During the course of 2010, the Seacare Authority will be seeking the views of stakeholders on the question of the need for separate OHS legislation for the maritime industry.



The *Seacare Awards & Conference 2010* will be held on 27-28 October in Melbourne. The venue is Central Pier in the Docklands precinct.

The Seacare Awards 2010 recognise and acknowledge the best positive initiatives by employers, operators, seafarers and others who are leading the way in OHS and rehabilitation. The Seacare Awards are aligned with the national Safe Work Australia Awards and will be announced at the special presentation dinner on 28 October 2010.

The *Seacare Conference* will have a combined OHS and workers compensation focus. The conference will also recognise 2010 as the 'International Year of the Seafarer'. The keynote speaker at the event will be Professor Paul Barach, an international expert on injury prevention and treatments.

Nomination forms for *Seacare Awards 2010*, as well as further detail on the Awards and Conference events, including an invitation to sponsors, will be posted to stakeholders in May 2010.

More information on the *Seacare Awards and Conference 2010* is available on the Seacare website: www.seacare.gov.au



Confined Spaces Regulations

The *Occupational Health and Safety (Maritime Industry) (National Standards) Regulations 2003* were amended on 20 April 2010 to incorporate regulations in relation to confined spaces. The regulations implement the Australian Standard in relation to confined spaces (AS2865-2009) with adaptations relevant to conditions in the maritime industry.

The purpose of the amendments is to protect the occupational health and safety of those required to enter and work in confined spaces in the maritime industry. They place a variety of duties on operators of prescribed ships and prescribed units and on their employees in order to achieve this aim.

The amended regulations and explanatory statement in relation to the regulations are available from the Seacare website www.seacare.gov.au

Section 20A Exemptions

Employers may seek an exemption from the application of the Seafarers Act with respect to an employee or group of employees on a particular ship (section 20A).

Exemptions are usually granted for one-off or out-of-the-ordinary voyages that bring a vessel into the scope of the Seacare scheme.

To assist it in determining applications for exemption, the Seacare Authority has approved Exemption Guidelines and an application form (Seacare Form 10). The application form is currently being reviewed by the Authority. The Authority is keen to receive comments from stakeholders on the proposed new application form. A copy of the proposed application form is available from the Seacare web site: www.seacare.gov.au. Comments should be provided by 7 May 2010.

Safety Awareness

The Seacare Authority has noticed an increase in the number of workers' compensation claims involving hand and arm injuries recently. The injuries are a result of doors closing suddenly on hands and arms while the door way is being used in heavy seas. The Seacare Authority would like to raise awareness of this issue as a potential hazard on ships and advise that care should be taken when moving around ships and especially through doors.

Seacare Notices

Seacare Notices are issued to scheme employers and published on the Seacare website. Current notices include:

01/2010 – Maximum Level of Benefits (Effective 25 February 2010)

02/2010 – Amendments to the Occupational Health and Safety (Maritime Industry) (National Standards) Regulations 2003 (Effective 20 April 2010).

Seacare Authority Membership and contact details

Members

Chairperson

Mr David Sterrett

Deputy Chairperson

Mr Paul O'Connor – Comcare CEO

Employee representative

Mr John Wydell – Industrial Officer, Australian Maritime Officers Union (AMOU)

Employee representative

Mr Mick Doleman – Assistant National Secretary, Maritime Union of Australia (MUA)

Employer representative

Mr Peter Bremner – Consultant, formerly Manager, Shipping, CSR Ltd

Employer representative

Mr Mal Hearnden – Manager, Swire Pacific Ship Management (Australia) Pty Ltd

AMSA CEO

Mr Graham Peachey – CEO, Australian Maritime Safety Authority (AMSA)

Deputy Members

Deputy to Mr Wydell

Mr Martin Byrne – Assistant Federal Secretary, Australian Institute of Marine & Power Engineers (AIMPE)

Deputy to Mr Doleman

Mr Jamie Newlyn – Branch Secretary, South Australia, MUA

Deputy to Mr Bremner

Ms Teresa Hatch – CEO, Australian Shipowners Association (ASA)

Deputy to Mr Hearnden

Mr Tony Caccamo – General Manager, Operations, Australian Mines & Metals Association (AMMA)

Deputy to Mr Peachey

Mr Brad Groves, Manager, Marine Standards, AMSA

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