

DUTY OF CARE CRITICAL IN FIGHT TO SLASH CONSTRUCTION DEATHS

SAFETY WHITE PAPER



Every day, New Zealand construction workers risk their lives to build a better New Zealand. And every day, employers and industry leaders let them down.

Since January 1, 2021, at least two workers have died in construction every month, and just over one worker per day has been seriously injured. Our dismal health and safety record is playing havoc with the lives of our workers, their whānau and their communities - and WorkSafe NZ, the Council of Trade Unions (CTU) and Construction Health and Safety NZ (CHASNZ), are all crying out for change.

“Workers, family, whānau and communities pay the cost of poor health and safety practices in construction every day through illness, injury and death. This must change immediately,” says WorkSafe Chief Executive Phil Parkes.

The organisations are calling for a renewed focus on construction industry health and safety, and they say in order to transform our terrible track record, everybody needs to get behind it.

Says CHASNZ Chief Executive Chris Alderson, “We need a step change across the industry, starting with being open and honest about the way we have worked in the past. We need the courage to challenge doing things in the name of health and safety that don’t actually improve safety on site and we need to put more time and resource back into our site supervisors and workforce so they can focus on getting the job done right rather than fast, cheaply or without the things that make the work safer.

“The construction workforce is currently under extreme pressure from internal and external factors, and this also increases the risk of a normal day’s work becoming one with a tragic outcome. It will take a concerted effort from the whole supply chain including clients, designers, contractors, government and the workforce.”

One organisation that works tirelessly to champion this change is Safety ‘n Action, New Zealand’s leading health and safety training provider. Their mission is to transform New Zealand’s health and safety culture by making a meaningful impact on the way organisations and individuals manage their health and safety responsibilities.

Safety 'n Action's National Training Director Nicholas Matzopoulos says New Zealand's construction workers are owed a duty of care by their employers – a duty of care that in some cases is sorely lacking.

“The New Zealand construction industry needs to be doing more as a sector to reduce the harm that takes place every day on our construction sites, and to ensure the safety of our workers,” Nicholas says.

“Industry employers and business leaders (includes PCBU's and offices) are legally obligated to exercise due diligence to keep their workers and worksites safe and to ensure their business meets its health and safety responsibilities. Those who continue to ignore their obligations and fail to meet their legal requirements are putting people's lives at risk, and will ultimately be held to account.”

According to WorkSafe, business leaders MUST take reasonable steps to:

- know about work health and safety matters and keep that knowledge up-to-date
- understand the nature of the business operations and associated hazards and risks
- ensure the business has appropriate resources and processes to eliminate or minimise those risks and to comply with other health and safety obligations, and check that the business uses them
- ensure there are appropriate processes for receiving and considering information about incidents, hazards and risks, and for responding in a timely way.

An excellent way to deepen understanding of these obligations is through Safety n' Action's half-day Health and Safety Board and Management Seminar.

<https://www.safetynaction.co.nz/en/our-courses/course-catalogue/health-and-safety-board-management-seminar/>

The highly interactive seminar dives into the Health and Safety at Work Act, guiding participants through current best practice and providing advice and support. It gives participants a clear understanding of their duties and responsibilities as a PCBU (Person Conducting a Business or Undertaking) or Officer of the PCBU, and provides opportunities for participants to discuss issues – and potential solutions - relevant to their workplace.

“When it comes to health and safety, it's essential that the Board and management teams of any organisation have a strong understanding of their duties and responsibilities, and those working in the construction industry are no different,” says Nicholas.

“New Zealand's construction sector has an appalling record of workers getting killed or injured on the job and there have been a huge number of serious incidents recently. Workers are owed a duty of care by their employers, and employer support and input is critical if we are to reduce the number of deaths and injuries occurring on our construction sites.”