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Easy HR™ Newsletter
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New Year Resolution

We know its been a while since our last newsletter. Our new year resolution is make sure our newsletters are more regular than irregular J

Child Support update

The new protected earnings to be set aside when making child support deductions from an employee's pay from 1 January 2007 will be:

| | |
|--------------------|-----------|
| Weekly Pays - | \$284.85 |
| Fortnightly Pays - | \$569.70 |
| Monthly Pays - | \$1238.59 |

The amounts are not changes to the child support payments you are currently deducting for your employees, they are the new amounts that your employee must be left with each pay.

Note that these limits do not apply to any other sort of deduction you make (such as garnishee payments) - any earnings protection these deductions have will be mentioned in the deduction order itself.

You Hurt My Star Sign

Just when we think We have already heard the wackiest lawsuit possible, We find something like this:

In July 2005, NASA sent a car-sized probe, dubbed "Deep Impact," on a successful collision course with Tempel 1, a comet that passes Earth every 5 1/2 years.

Scientists were hoping to determine the makeup of the ancient comet, and possibly learn the makeup of the solar system billions of years ago. Marina Bai, a Russian astrologist said she was harmed by the impact. More specifically her "horoscope was altered" by the collision.

"It is obvious," Bai told Russia's *Izvestia* newspaper, "that elements of the comet's orbit, and correspondingly the ephemeris, will change after the explosion, which interferes with my astrology work and distorts my horoscope."

Workers Compensation Fraud

A Hilltop man has been placed on a nine-month good behaviour bond and ordered to repay more than \$16,000 in fraudulently obtained workers compensation payments.

Peter Broos, aged 55, was convicted in the NSW Chief Industrial Magistrates Court of obtaining money by making a false statement under section 178BB of the Crimes Act 1900.

The court heard that Mr Broos, a boilermaker and sole director of a fabrication company, lodged a workers compensation claim in October 2000, for progressive carpal tunnel syndrome.

On his workers compensation claim Mr Broos falsely declared his average weekly wage to be \$1,100. However, in August 2003, the insurer discovered that his actual weekly wage was only \$280.

The defendant received weekly compensation payments at the overstated level for almost three years, resulting in an overpayment of more than \$16,800.

Magistrate Hart placed the defendant on a nine month suspended sentence with a nine-month good behaviour bond.

The defendant paid \$16,896 in restitution and \$2,572 in prosecution costs.

WorkCover Chief Executive Officer, Jon Blackwell, said providing false or misleading information to increase workers compensation payments was a serious offence.

Fraudulent claims impact unfairly on both employers and workers by placing an unnecessary financial burden on the NSW Workers Compensation Scheme.

“There are harsh penalties for anyone who obtains workers compensation benefits by deception,” he said. “WorkCover is serious about identifying and prosecuting anyone involved in workers compensation fraud.”

“Where fraud is identified and proved, employers now receive premium refunds,” Mr Blackwell said.

Anyone with information on workers compensation fraud should contact WorkCover’s fraud hotline on 02 4321 5755 or visit the WorkCover website www.workcover.nsw.gov.au

Source: Workcover NSW

Blackberry Thumb

TORONTO (Reuters) - Sore thumbs after spending hours on a hand-held e-mail device? Sounds like a case of "BlackBerry Thumb" -- but help is at hand.

The Hyatt hotel chain found so many of their business travellers were complaining of hand and arm discomfort that they have introduced a special "BlackBerry Balm" hand massage at most of their North American spas.

Corporate spa director Kyra Johnson said guests began asking masseurs to spend more time on their hands and arms because of the growing popularity of PDA (personal digital assistant) devices like BlackBerrys and Treos.

The 30-minute massage, that costs about \$30, begins with heat treatment and uses a "BlackBerry Balm." It "focuses on counteracting tension on various hand and arm muscles, specifically in the thumbs and overworked wrists," according to a Hyatt statement.

The American Physical Therapy Association recently recognised BlackBerry Thumb as an official work place malady -- a stress-related injury due to over-use of any PDA or smartphone.

Ontario-based Research IN Motion Ltd's BlackBerry became a technological must-have in the late 1990s as a tool that delivers e-mail to users on the move. It is jokingly called a "CrackBerry" by many users.

Professor Alan Hedge, an ergonomics specialist at Cornell University in New York state, said the condition is caused by "highly repetitive, forceful thumb movements with the thumbs held back from the palms."

The symptoms are pain in the thumb and region around the base of the thumb and hand. Treatment typically consists of resting or strapping the thumb, anti-inflammatory medicines, cortisone injections and, as a last resort, surgery.

"It's a bit like the "Nintendo thumb" of the '90s," said occupational therapist Andrew Morton, referring to young people who spent hours battering hand-held video game controllers with their thumbs.

Morton, who specialises in hand therapy at the University Hospital in London, Ontario, said this problem was going to become more common, with increasing numbers of hand-held electronic devices with small buttons being used.

Hedge recommended preventive measures like holding the device comfortably in the hands and close to the body, and not typing for more than five minutes without a break.

"Don't type "War and Peace" with your thumbs! If you need to type long messages use an external keyboard for the device," Hedge said by e-mail.

Full story see www.tiscali.co.uk

Blood Lust

A vampire bat came flapping in from the night covered in fresh blood, and parked himself on the roof of the cave to get some sleep. Pretty soon all the other bats smelled the blood and began asking him where he got it. He told them to knock it off and let him get some sleep, but they persisted until finally he gave in. "OK, follow me," he said, and flew out of the cave with hundreds of bats behind him.

Down through a valley they went, across a river, and into a forest full of trees. Finally he slowed down and all the other bats excitedly milled around him. "Now, do you see that tree over there?" he asked.

"Yes, yes, yes!" the bats all screamed in a frenzy.

"Good," said the first bat. "Because I didn't!"

Valentines Day Problem

A British survey found that businesses want Valentine's Cards banned from the workplace rather than face the risk of potential sexual harassment claims.

Such are the threats posed by cards that bosses would prefer to see them banned altogether. And if the cards were to lead to something more, a staggering nine out of ten bosses believe that office relationships are bad news for business.

The problem with Valentine's Cards is that there is a tremendous risk for them to be misinterpreted, Like any comment of a romantic or sexual nature, the potential for them to backfire is tremendous -landing employers at an employment tribunal fighting a serious case of harassment or sexual discrimination.

Did You Know

Cold water saps body heat 25 times faster than air of the same temperature.

Too Smelly to travel - BA says no to BO

A court in Germany rejected a man's compensation claim against an airline after a cabin crew ordered him off a plane because other passengers were offended by his smell.

An appeals court in the German city of Dusseldorf upheld an earlier ruling that British Airways (BA) had acted within its rights by removing the man from the aircraft after a female passenger sitting next to him complained about his smell.

"The stewardess took him to one side and asked him if he could put on a fresh shirt, but they were all in the hold," a court spokesman said. "So then he was asked to leave the plane -- about two minutes before take off."

The corporate lawyer and his wife were scheduled to return home from Hawaii via Los Angeles on a BA flight sub-contracted to American Airlines, and missed their connection to Germany when the incident forced them to take a later plane.

Including the cost of staying an extra night in Los Angeles, the earnings he had forfeited and his wife's lost holiday time, the man calculated BA owed him nearly 2,200 euros, and took his case to a lower court in Dusseldorf.

"The man said he couldn't help sweating after carrying three suitcases in 29 degrees of heat and sitting in the airport for 2 hours with no air conditioning," the court spokesman said.

"But the court said the airline's terms and conditions made clear they could bar passengers because of their smell."

The appeals court delivered a judgement by default against the man when he failed to attend the hearing. The man, who told the court he was stuck in traffic, has the right to appeal this.

According to its website, American Airlines' conditions of carriage say that transportation may be refused if passengers "have an offensive odour not caused by a disability or illness."

British Airways stipulates that the airline may refuse to transport passengers "if carrying you or your baggage may affect the comfort of any person in the aircraft."

Victorian Payroll Tax

The legislation to bring forward the payroll tax change for Victoria was granted Royal Assent on December 22nd. Victoria's Payroll Tax Rate from 1 January 2007 is now 5.05%. You will use this rate for your January return onwards. The rate from 1 July 06 to 31 December 06 was 5.15%. This means people paying payroll tax in Victoria will have 2 different rates for the 06/07 Payroll Tax year.

Though For the Day

In those old days, they cooked in the kitchen with a big kettle that always hung over the fire. Every day they lit the fire and added things to the pot. They ate mostly vegetables and did not get much meat. They would eat the stew for dinner, leaving leftovers in the pot to get cold overnight and then start over the next day. Sometimes the stew had food in it that had been there for quite a while. Hence the rhyme, "Peas porridge hot, peas porridge cold, peas porridge in the pot nine days old."

Sometimes they could obtain pork, which made them feel quite special. When visitors came over, they would hang up their bacon to show off. It was a sign of wealth that a man "could bring home the bacon." They would cut off a little to share with guests and would all sit around and chew the fat."

Those with money had plates made of pewter. Food with high acid content caused some of the lead to leach onto the food, causing lead poisoning and death. This happened most often with tomatoes, so for the next 400 years or so, tomatoes were considered poisonous.

Bread was divided according to status. Workers got the burnt bottom of the loaf, the family got the middle, and guests got the top, or "upper crust."

England is old and small and the local folks started running out of places to bury people. So they would dig up coffins and would take the bones to a "bone-house" and reuse the grave. When reopening these coffins, 1 out of 25 coffins were found to have scratch marks on the inside and they realized they had been burying people alive. So they thought they would tie a string on the wrist of the corpse, lead it through the coffin and up through the ground and tie it to a bell. Someone would have to sit out in the graveyard all night (the "grave yard shift") to listen for the bell; thus, someone could be "saved by the bell."

Wacky Warnings

On the inside of a pull-top lid of liquid radiator sealant:

CAUTION: Do not lick lid.

On packages containing Silly Putty:

WARNING: Not for use as earplugs.

Found in instructions for a computer mouse:

Do not dangle the mouse by its cable or throw mouse at co-workers.

Man Fined For Interfering With Workcover Inspector

Describing inspectors as being on the 'front line' of workplace safety, Mildura Magistrate Dan Muling said inspectors must be protected by the law.

Two men were before the court, charged under the Occupational Health and Safety Act, after an inspector's camera was taken from him and the film buried in a Mildura drainage project trench in February last year.

Forty-five-year-old Reservoir man, Peter Prostamo, was fined \$6500, without conviction and ordered to pay costs of \$8557 after pleading guilty to failing to comply with an inspectors' direction and assaulting an inspector.

Marcello De Frenza, 35, of the Mornington Peninsula was put on a 12-month bond, without conviction and ordered to pay \$1000 to the court fund after pleading guilty to intentionally obstructing or hindering an inspector.

The costs to be paid by Mr Prostamo are combined with those of Mr De Frenza.

WorkSafe's Executive Director, John Merritt, said the Act gave inspectors broad powers to visit workplaces and ensure safety standards were observed. "WorkSafe's inspectors play a vital role in community efforts to stop people being killed or hurt at work. "It can be difficult work in the best of circumstances.

We take seriously what we see as efforts to undermine their duties through physical means or intimidation. "WorkSafe strives to work constructively with employers and workers, but where serious breaches of the law are found legal options will be pursued. A moment of hot-headedness can have serious consequences."

WorkSafe told Magistrate Muling an inspector identified safety issues as pipes were being laid in Cureton Avenue, Mildura, on 13 February 2006.

No traffic management system was in place, no signs were in place to warn traffic of excavation works; there was no fall protection around the edge of a trench where pipes were being laid; workers were outside a trench-shield in the excavation.

Because of the danger to the person working outside the trench shield, the inspector asked that work be stopped and that the men in the trench get out.

Although he said work could not resume until he had finished writing a report and a prohibition notice, some men returned to work and the inspector again asked them to stop, without success.

As he took photographs of the site Prostamo demanded the camera be handed over. The inspector refused saying he had the power to take photographs under the OHS Act. Prostamo grabbed the inspector from behind and forcibly restrained him while De Frenza took the camera. De Frenza threw the film into the trench and gave the camera back to the inspector. Prostamo used an excavator to back-fill the excavation.

Source: Workcover Victoria

I Needed To Know That

- *Nearly 45,000 Americans are treated in emergency rooms each year for "toilet related" injuries.*
- *As stated in the venerable British Medical Journal there is an injury called "Beefburger Slashes" caused by prying apart ice-chilled slabs of meat with a knife.*

Get your fat butt over here... (so that I can live longer)

People who have to smile all the time in their jobs are more likely to fall ill than others, according to a study at a German university. Most at risk are flight attendants, sales personnel and call centre operators who are forced to pretend to be friendly to customers, psychologists at Frankfurt University said.

People in these jobs are more likely to suffer from depression, according to the study released Thursday in advance of publication in the consumer magazine Good Advice. "Every time a person is forced to repress his true feelings, there are negative consequences for his health," said Professor Dieter Zapf, a researcher into human emotions.

The study tested students working in an imaginary call centre who were subject to abuse from clients. Some of the participants were allowed to answer back, while others had to be polite and friendly all the time. Those who stood up to clients had a rapid heartbeat for a brief period, but for those who had to remain friendly their heart was still racing long after the client had hung up.

The conclusion reached by the psychologists was that being friendly against one's will causes nothing but stress. Flight attendants, shop assistants and carers also took part in the study of emotional behaviour, which involved 4,000 people, according to Zapf.

"We are all able to reign in our emotions," Zapf said. "It becomes difficult when you have to do this over a protracted period as cabin attendants are forced to on long-haul flights.

"These people need space away from the passengers where they can be on their own and let their feelings run free.

"We have to get away from the 'customer is king' attitude and show more respect to those working in the service industries," Zapf said

Source: www.expatica.com

Restricted Site Access Responsibilities

Labour hire companies that have restricted access to host employer sites must take extra steps to ensure their workers are properly supervised, the NSW Industrial Court has stressed in handing down a \$50,000 fine.

The case involved labour hire firm Liana Park Pty Ltd, which supplied workers to a Qantas freight terminal through an arrangement with its parent company, Blue Collar Personnel Pty Ltd.

In December 2003, a worker employed by Liana walked to a semi-restricted zone of the terminal to adjust a radio that was positioned between conveyors. When he squatted to adjust the radio, another worker activated the conveyors and his baggy, non-uniform shorts became entangled in the machinery, causing him to suffer severe perineal injuries, damage to his lower vertebrae and ongoing psychological problems.

A Qantas investigation of the incident found it was due to the radio's position, the worker's action in crouching near the machinery and his cargo-style shorts.

The Court fined Qantas \$75,000 after taking into account its prior convictions, in a case that highlighted the importance of ensuring thorough risk assessments.

WorkCover NSW also prosecuted Liana, alleging that its failures included not ensuring a risk assessment had been conducted and not providing proper supervision.

Justice Backman heard that the common director of Liana and Blue Collar visited the offices at the freight terminal regularly to discuss safety and employment issues, but she was only allowed access to her employees' work area about once every six months because she didn't have the appropriate security clearance.

Under the terms of the arrangement, Qantas was responsible for day-to-day supervision and control of the labour hire employees. Justice Backman noted that this wasn't unusual, but said it gave rise to "special responsibilities on the part of the labour hire company to ensure the safety of its employees in the workplace".

She said: "...it is no answer on the part of the defendant to contend that it could not properly assess and supervise its workers at the freight terminal because of security issues and restricted access or that the host employer had sole responsibility for worker safety... In the defendant's situation it was therefore incumbent upon it, in the absence of being able to provide direct day to day supervision to ensure, by appropriate contact with the host employer, that its employees were adequately supervised for example by ensuring that they wore correct clothing while on the job."

Justice Backman took into account in determining penalty that Liana could have taken reasonably simple and straight forward steps to prevent the incident.

She rejected Liana's argument that it was less culpable than Qantas because Qantas had restricted its site access, finding the companies were equally culpable.

Taking into account the company's clean record and its early guilty plea, she fined it \$50,000.

Inspector Gill v Liana Park Pty Ltd [2006] NSWIRComm 348 (3 November 2006)

Is it in writing?

A recent case in the South Australian IR Court emphasised the importance of work procedures being committed to paper. A worker had been injured and needed hospitalisation when injured in a mishap where conflicting instructions had been provided.

The employee had been unloading crates of glass, working under the direction of a senior employee of the company. After the senior employee had left to answer a phone call, the incident happened.

Industrial Magistrate Hardy said: "At best the instructions were verbal and I think, imprecise. There was no evidence of any attempt to acquaint the employee with the dangers, masses or propensity to fall posed by the crates on end. Whilst this might have been to a degree, self-evident they were not spelled out as they ought to have been."

Paparella v BJR Logistics Pty Ltd (formerly known as Bee-Jays Roadlink Pty Ltd)

In Victoria, Lisa Hannan heard that two employees of plasterboard manufacturer CSR Limited were injured in similar circumstances in February and June 2004.

The Court heard that CSR had policies in place requiring the machines to be turned off when cleaning work was done, but it was common practice for workers to ignore them and leave the conveyors running.

The Magistrate warned employers that to be effective, safety policies must be enforced.

Our pet dislikes about Power Point presentations

A recent article in the USA highlighted some of the pet dislikes about PowerPoint presentations.

They are:-

- § The speaker read the slides to us 62%
- § Text so small I couldn't read it 47%
- § Slides hard to see because of colour choice 43%
- § Full sentences instead of bullet points 39%
- § Moving/flying text or graphics 25%
- § Overly complex diagrams or charts 22%

The research identified that many presenters lack the normal visual and auditors delivery skills and over compensate with the PowerPoint presentation, often prepared by a subordinate. The presenter then vocalises (often badly) exactly what is being shown on the visual. The visual is often in too much detail, or too wordy, to be considered a presentation aid.

Even when the presenter has the required presentation skills, a lack in design skills can often reduce the effectiveness of a presentation. It is not how the presentation look on a screen, with bright back lighting and centimetres separating the VDU from the viewer. During the presentation, the room, even with subdued lighting, the screen image is not always as crisp as the VDU version. Choice of colours and type selection and font size can be critical.

To be effective a presentation should:-

- § have a simple design with all slides being consistent to this design
- § have bold writing in bullet points with a bold contrast between background colour and text colour
- § make use of graphics to promote the image
- § support the oral message and not try to replace it
- § be simple in content. Detailed or complex ideas or charts can be handed out to the audience to be able to view them from close up.

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