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MEMORANDUM

To: Elissa McGregor – Research Assistant, Strategy & Policy Division

Through: Cherie McGrath – A/Team Coordinator, CABS and Ian Blume – A/Team Manager, CABS

From: Belinda McKean – Inspector, CABS

Subject: Request for information in response to Telecorp letter. WSMS 1-92713

Date: 22/9/05

CC: Usha St George, State Coordinator of Hazard Management, Chemical Exposure team

Elissa,

Please find following information in response to your request for information.

Telecorp Pty Ltd is located in Queensland with a wholly owned subsidiary CardCall Pty Ltd also located in Queensland. A registered office for CardCall Pty Ltd is located in NSW with 3 sales representatives working in NSW. The contact person and 'Proper Officer' I have been dealing in NSW is Anil Sharma, General Council.

Essentially there are two parts to this issue.

- 1) A complaint was lodged 12 May 2005 with WorkCover by a former employee that *'employees have to carry flags emitting toxic fumes in their vehicle and handle them in the course of their work. Complainant tested flags himself and informed company of the results of this analysis. No action taken by company regarding the issues raised'*.

I have been investigating this issue. Flags in question measure 72cm x 42cm and are typically located outside news agents to advertise telephone calling cards.

Card Call Pty Ltd provided the flags to Queensland Health Scientific Services for analysis 17 May 2005 and the analysis report was provided to WorkCover. The report was then given to Usha St George, State Coordinator of Hazard Management, Chemical Exposure for review within the team. It was determined that the analysis technique used was not reflective of the actual work situation and thus did not give a definitive result on exposure levels for employees working with the flags. With the information provided it was not possible to establish that there was a risk to the employees.

I have received formal notification in response notice 7-88751 issued under Section 62 of the Occupational Health and Safety Act 2000 that CardCall Pty Ltd is no longer purchasing flags of the type in question in this matter and have also ceased using the supplier of the flags in question.

WorkCover. **Watching out for you.**

On 21 September 2005 I spoke with Sally Garner, Billing Operations Manager & Workplace Health and Safety Officer regarding OHS within CardCall Pty Ltd and linkages with NSW based employees given that the main office is located in Queensland. Subsequent to discussions, three improvement notices have been issued to the Proper Officer, Anil Sharma for:



- 1) Employer does not have an OHS consultative process as prescribed.
 - 2) Employer has not provided first aid facilities for employees
 - 3) Employer has failed to implement arrangements for NSW sales representatives in the event of an emergency.
- This has concluded my involvement in the complaint investigation.
- 2) The second matter that the complainant verbally advised was that he had been dismissed from CardCall Pty Ltd unfairly due to raising a health and safety issue. A formal complaint has not been lodged with WorkCover regarding this issue as the complainant had lodged the matter with the Industrial Relations Commission (IRC)

The unfair dismissal case is presently being heard at the IRC. The IRC reference number for your information is: Matter No IRC 2586 of 2005.

Via the WorkCover legal team, I obtained the Interim Orders handed down by Commissioner Cambridge 25 August 2005 for this matter. One of the orders is to notify WorkCover *'with formal documentary request for assistance in further scientific testing of plastic promotional flags aimed at establishing appropriate safe handling protocols'*. The letter you are now in receipt is the formal notification.

Usha St George, State Coordinator of Hazard Management, Chemical Exposure is familiar with the matter and can be contacted for further technical advice if required in response to the letter. I would however question the value of providing assistance on testing of the flags as the company has indicated that the flags are no longer in use or distributed by the company.

Should you require further information please do not hesitate to call me on 02 8260 5765.

Regards,

Belinda McKean

Inspector – Consumer & Business Services Team