



In the aftermath of the horrendous Christchurch mosque attacks which resounded around the world, eliciting sympathy, compassion and good wishes from Responsible Care® colleagues worldwide, our shocked community is slowly adjusting to our new security environment.

Workplace Health and Safety

Given the circumstances, it is possible recent changes in employment legislation may have been overlooked.

From 1 April 2019 important employment changes affecting employers and employees occur, in particular:

Domestic Violence*

An employer has a legal responsibility to support an employee affected by a domestic violence situation. The new entitlement of up to 10 days' paid leave each year is in addition to normal holiday and sick leave entitlements. An employee can request short-term (up to two months) variations to their working arrangements, to which the employer must respond within 10 days.

The law expressly prohibits discriminating against an employee or prospective employee because they are, or may be, affected by a domestic violence situation. Furthermore, an employee can bring a personal grievance if they believe their domestic violence situation is not being fairly considered.

Employers should have a policy for dealing with staff who are seeking help for a domestic violence situation.

The policy should recognise:

- The violence may be historical, preceding their present employment.
- A request for leave may come from the employee or a person with a dependant being subjected to the violence, e.g. a parent.

There is clearly a confused relationship between workplace safety and non-workplace safety issues, which has yet to be explored and defined. General advice is available from the Employment New Zealand website <https://www.employment.govt.nz/leave-and-holidays/domestic-violence-leave/>.

Meanwhile, employers should seek professional advice regarding a particular staff members' situation.

*Offered only as general guidance. Please seek professional advice.

Increase in Minimum Wage

The new rate is \$17.70 per hour before tax, a rise of \$1.20 per hour in the adult rate. Starting out and training rates also get respective increases, representing 80% of the adult rate.

Important

If the KiwiSaver Employer Contribution once deducted brings the hourly rate to below \$17.70, the employer must top up.

IRD Payday Filing

All employers must now file pay details with the IRD within two days of an employee being paid. This replaces the long-standing practice of filing on the 20th of the month following payment.

Surveys indicate almost 30% of SMEs do not know whether their business is ready to implement the earlier reporting.

From 06 May 2019

Rest and Meal Breaks

Unless the parties have agreed otherwise, default rest breaks of 10 minutes and a meal break of 30 minutes will apply, at times prescribed in the Employment Relations Amendment Act 2018.

Details at <https://www.employment.govt.nz/hours-and-wages/breaks/rest-and-meal-breaks/>

Union Rights Strengthened

Union representatives have the right to enter workplaces without prior consent, where workers are covered by a collective agreement.

From 01 June 2019

Regulations

- Requirements for the Use, Handling and Storage of Hazardous Waste (Reg 1.4).
- Requirements for Indoor Storage Cabinets (Regs 13.36 and 13.37).
- Requirements for Stores Other Than in Cabinets (Reg 13.35).

Location Compliance Certificates

If you use and store Class 6 (Toxic) and Class 8 (Corrosive) products over the prescribed quantities, you must establish a Hazardous Substance Location (Reg 13.38).

From 01 December 2019

A Location Compliance Certificate will be required.



Workplace Exposure Standards Reviewed

This year, WorkSafe NZ continues to update workplace exposure standards.

The familiar WES is the Bible for occupational health and hygiene professionals, environmental health officers and health and safety managers assessing the risk to workers through exposure to the hazardous substances present in every workplace.

The Workplace Exposure Standards and Biological Exposure Indices (10th Edition November 2018) is annotated to identify the 34 substances to be reviewed throughout the year.

Your comment is sought.

Please see <https://worksafe.govt.nz/topic-and-industry/work-related-health/monitoring/exposure-standards-and-biological-exposure-indices/> for the PDF file.

To participate, please email exposurestandards@worksafe.govt.nz preferably using a generic email address, e.g. admin@yourbusiness.co.nz, identifying your organisation and type of business.

Responsible Care NZ Members are encouraged to contribute to maintaining this excellent reference.



Chemical Safety

Recent major chemical incidents in both the US and China, resulting in significant loss of life and major damage, are the latest reminder site operators cannot afford to relax. A China agrichemical manufacturing site explosion and fire killed 78 employees and emergency responders.

Another Chinese pesticide plant explosion killed 64 workers and caused the evacuation of 4,000 nearby residents. Reports indicate a tanker carrying LPG caught fire and set off explosions in a benzene storage area.



A fatal fire at a petrochemical storage facility near Houston, Texas destroyed ten tanks containing toluene, naphtha, oil and petroleum, resulting in millions of litres of volatile products escaping from damaged tanks and polluting local waterways.

The danger posed by clouds of Benzene led to the closure of local schools and highways and the evacuation of thousands of local residents.

An explosion damaged two insulated silos at a nearby Florida asphalt plant, injuring several workers and neighbours when metal fragments flew beyond the boundary.



Banned Foam Still Stored

An EPA investigation of 166 sites discovered seven of 16 airports, a major oil company, a tyre factory, two fire trucks and two tug boats had stocks or traces of firefighting foam containing perfluorooctane sulfonate, (PFoS) which was banned in 2006. A Persistent Organic Pollutant (POP) under the Stockholm Convention, POPs persist in the environment and

the human body, resulting in adverse health effects. While disappointed firefighting businesses were not keeping up with law changes, the EPA noted there was no risk to workers or the public, as any risk to the environment had been mitigated.



Comprehensive SDS Vital

A common, unacceptable entry in an SDS (meant to be the encyclopaedia for a product) is the phrase “Not available” which is being confused with “Not applicable”. The term not applicable means the subject has been researched but deemed not relevant by the

author. In a medical emergency, a lack of comprehensive information in Section 9 can delay assessing a patient and administering appropriate treatment. Please ensure your SDS are as comprehensive as Best Industry Practice requires.



Please Play Fair!

Our CHEMCALL® responders respond to all calls, including those where the 0800 CHEMCALL® number is obtained from an SDS, product label or site signage belonging to non-Subscribers. Thanks to the valued support of our Subscribers, our unique 24/7 CHEMCALL® service is available free to emergency responders and medical professionals. Talk to us today regarding your 24/7 CHEMCALL® requirements.



Current CHEMCALL® Subscribers:

Would you like to send us your current and complete Emergency Response Plan? Following recent enhancements, our internal system can now securely 'store' these plans, specifically to support CHEMCALL® emergency advice requests for your location.

Having your ER Plan on our system gives responders access to considerable site detail in an emergency and has two advantages for our CHEMCALL® Subscribers:

- You now have a 'Plan B' if you are unable to access your local plan, whether hard or soft copy.
- Your compliance is enhanced by having the plan readily available to your onsite team and the emergency services in the event of an incident.

Careful with Placarding

A recent building fire endangered a decommissioned ISO tank. Placarding on the empty tank was crossed out with black tape, which while no doubt well intentioned, was inherently dangerous.

At a distance or in poor light, the alteration would not be readily apparent, defeating the purpose of warning emergency responders of the hazard posed by the tank.



A Warm Welcome to new Members and CHEMCALL® subscribers



With over 40 years' experience in the industry, **Agrisource (2000) Limited** is a privately owned New Zealand supplier of high quality, cost-effective crop protection solutions, from planting through to post harvest storage.



GNS Science, Te Pū Ao, is New Zealand's leading provider of Earth, geoscience and isotope research and consultancy services. Their mission is to better understand natural Earth system processes and resources and then translate this information for economic, environmental and social benefits.



Opening in 2019, the **National Distillery Company Limited** is a craft distillery located in the port area of Ahuriri, Hawkes Bay, in the famous landmark building, formerly the National Tobacco Company. With a tasting room, bar and restaurant and manufacturing diverse and innovative spirits, the company is sure to become a popular tourist destination.

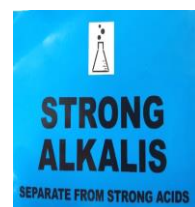
These Are Our Members

Congratulations to **DeLaval** for their innovative approach to chemical safety.



To clearly discriminate between Strong Acids/Alkalis and the standard Class 8 diamond and GHS pictogram, they have added colour-coded labels which include accessing the SDS via the QR code in the top right corner. Complementing this initiative is the adoption of UN approved 200 litre plastic drums in the same blue and red colour.

Transport companies have welcomed DeLaval's initiative as long overdue. We salute DeLaval's enhanced safety measures.



IF THIS WAS YOUR CHEMICAL CONSIGNMENT, WHAT WOULD YOU DO?

LET'S DISCUSS HOW
OUR 0800 CHEMCALL
24/7 EMERGENCY
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CAN HELP.

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