

Individual/Organisational name:

Discussion paper on the review of crane licensing under the model Work Health and Safety (WHS) laws

Public comment response form

Questions posed in the discussion paper are listed below. You may answer some or all questions or raise other matters not explicitly addressed, as long as it is relevant to crane licensing.

If available, please provide evidence of any problems, and how this impacts WHS (e.g., injuries, fatalities, near-misses).

Data and evidence
<p>1. Can you provide additional data or information on the:</p> <ul style="list-style-type: none"> • extent and nature of crane use in Australia • frequency and nature of crane-related incidents, or • impact of crane licensing and other regulatory controls on managing risks? <p>No additional comments.</p>
<p>2. In your view, what are the gaps in or limitations with crane-related data or evidence? What impact do these limitations have on determining, at a national level, the overall risk of using cranes in workplaces (e.g., underestimation of injuries)?</p> <p>The evidence collected suggests that “Human Error” is the major cause of crane incidents. It is very difficult to learn from Human Error when there is not enough evidence collected (or reported) as to why the human made the error. This gap could be closed by collecting data that delves deeper into the causes of the error.</p>
Licensing (general issues)
<p>3. Is the licensing framework under Part 4.5 of the model WHS Regulations fit for purpose now and will it remain fit for purpose with changing work practices, equipment, and environments? Why/why not?</p> <p>We believe the framework in place now is fit for purpose in its application to us. One amendment we would like to suggest to Section 93, is that if more than one HRWL Class application is made within the first 60-day period then only one application fee is charged. In up-skilling our workforce, some of our workers have lodged 3 Candidate Assessment Summaries to the Regulator from the same RTO on the same day. They were told that they will be charged 3 separate application fees. We believe there would not be any significant increase in workload to the regulator that would warrant the full fee for the second and third applications.</p>
<p>4. How well do the crane licence classes and descriptions of HRW in Schedule 3 to the model WHS Regulations (and the relevant definitions in Regulation 5) reflect contemporary work practices and equipment? Why?</p> <p>The definition of Dogging Work in Schedule 3 does not define Dogging Work, it needs to be broken down further to mention the application of slinging techniques, giving directions to a crane operators, etc. It should also be linked to the Bridge/gantry crane and Vehicle Loading Crane definitions where a HRWL is not required.</p>
<p>5. How well do the qualification requirements in Schedule 4 to the model WHS Regulations ensure crane operators can perform their work safely? Why?</p> <p>We believe the qualification requirements in Schedule 4 is fit for purpose in its application to us. The requirement for Scaffolders and Riggers to work their way up is a sound one and should be in place for Slew Cranes.</p>

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<p>6. What risks to safety, if any, are not being managed by the current crane licensing requirements, or are already managed adequately by other controls? No additional comments.</p>
<p>7. Are some issues confined to particular industry sectors, crane classes or geographical areas (e.g., regional and urban areas)? There does not appear to be a consistent application of the HRWL requirements across all industries. Some industries go over and above the HRWL requirements by requiring operators to hold a HRWL for a class that does not require it (small EWP, small vehicle loading crane, etc.). On occasions, Operators have been trained and experienced but have been refused access to equipment due to not holding a HRWL. While that is commendable from a Safety point of view, it needs to be communicated that the plastic licence is not what keeps the people safe, it is the training and experience (competency) that keeps you safe. The licence just verifies that process.</p>
<p>8. Which crane licence issues are most important to you? Why? Cost. The modern workforce has accepted the requirement for the HRWL but the additional cost on top of the training is hard for some, especially for multiple classes.</p>
<p>9. How much of an impact have these issues had—or will they have—on you, your workplace, and your work? The cost of the licensing must be borne by someone and while there is access to funding for training in our sector there are other ways the cost of licensing can be reduced.</p>
<p>10. What could we do to make crane licensing work better? How would that ensure the health and safety of workers and others at the workplace? No additional comments.</p>
<p>Slewing mobile cranes</p>
<p>11. How well do the slewing mobile crane licence classes reflect the capabilities of current cranes and how they are used? Why? No additional comments.</p>
<p>12. What are the risks to safety resulting from the current licensing of slewing mobile cranes?</p> <ul style="list-style-type: none"> a. What changes to the model WHS Regulations could be made to manage these risks? How would this ensure the health and safety of workers and others at the workplace? b. Are there any other ways these risks could be managed? <p>No additional comments.</p>
<p>13. How much of an impact has this had on you, your workplace, or your work? No additional comments.</p>
<p>14. How will this change as technology, work practices, and environments evolve? No additional comments.</p>
<p>Cranes not covered by the current licensing scheme</p>

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<p>15. What are the common WHS issues associated with using cranes that do not require a HRW licence?</p> <p>The HRWL initiates the training process in many cases. A lot of people/businesses wrongly make the link that because there is no HRWL requirement there is no need for training. The training for these non-licensed class does not need to be nationally accredited but it needs to be structured and recorded. This non-structured training sometimes leads to only teaching people what they need to know to conduct a certain task and does not deal with changing scenarios. This very limited or narrow scope of knowledge can lead to human error when the operators are challenged.</p>
<p>16. How much of an impact have these issues had—or will they have—on you, your workplace, and your work? Does this create safety risks and, if so, what are they?</p> <p>We have 6 bridge cranes mounted in our workshop all with 3 or less powered operations. While there is no need for a HRWL for the cranes there is a requirement for a HRWL for the Dogging Work. That distinction has not always been clear, so while there has been (in the past) a lack of structured bridge crane training there has also been a lack of Nationally Accredited Training for the Dogging Work. This very limited or narrow scope of knowledge can lead to human error when the Doggers are challenged.</p>
<p>17. Should the cranes listed above (or any other cranes not included in the model WHS Regulations) require a licence to operate? How would that ensure the health and safety of workers and others at the workplace?</p> <p>We believe the cranes listed above should not be included, as there needs to a process where to save on manual handling, a Davit Arm can be used to lift a Manhole Cover without the need for a HRWL. There still needs to be training, procedures and approvals, but it does not need to face the same scrutiny that a HWRL RTO faces.</p>
<p>18. What other approaches could be taken besides requiring a licence, and how would those approaches ensure the health and safety of operators and others at the workplace?</p> <p>We believe the current system works fine when it is followed by those who it applies to, but there is a lack of education around the definitions, restrictions and who it applies to in the model WHS Regulations.</p>
<p>Encompassment</p>
<p>19. How well is the ‘encompassment’ of mobile crane licences working and why? What impact, if any, does this have on workplace safety?</p> <p>No additional comments.</p>
<p>20. What are the risks to safety resulting from the current crane licence ‘encompassment’?</p> <p style="margin-left: 20px;">a. What changes to the model WHS Regulations could be made to manage these risks? How would this ensure the health and safety of workers and others at the workplace?</p> <p style="margin-left: 20px;">b. Are there any other ways these risks could be managed?</p> <p>No additional comments.</p>
<p>21. How much of an impact has licence ‘encompassment’ had on you, your workplace, or your work?</p> <p>No additional comments.</p>
<p>22. How will this change as technology, work practices, and environments evolve?</p> <p>No additional comments.</p>
<p>Training of crane operators in dogging work</p>

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<p>23. Noting that the training packages for most crane licences have recently changed to include competencies related to dogging, how well do the current arrangements for dogging of crane loads work and why? Are they improving or likely to improve safety outcomes?</p> <p>Given that the Crane Operator is ultimately responsible for the lift, the more knowledge they can hold around the slinging techniques and estimation of the load can only increase their confidence in the lift itself. There are issues where you need a HRWL to dog the load for cranes that do not require a HRWL (some bridge/gantry and VLC). The current systems works well when it is applied however more education needs to happen.</p>
<p>24. What are the risks to safety resulting from the current training requirements for crane operators in relation to dogging competencies?</p> <p>a. What changes to the model WHS Regulations could be made to manage these risks? How would this ensure the health and safety of workers and others at the workplace?</p> <p>b. Are there any other ways these risks could be managed?</p> <p>No additional comments.</p>
<p>25. How much of an impact has this had on you, your workplace, or your work?</p> <p>No additional comments.</p>
<p>26. How will this change as technology, work practices, and environments evolve?</p> <p>No additional comments.</p>
<p>Rigging licences</p>
<p>27. How well do the rigging licence classes and definitions in the model WHS Regulations reflect the capabilities of current crane and rigging activities? Why?</p> <p>No additional comments.</p>
<p>28. How will this change as technology, work practices, and environments evolve?</p> <p>No additional comments.</p>
<p>29. How much of an impact has this had—or will this have—on you, your workplace, and your work? Does it create safety risks and, if so, what are they?</p> <p>No additional comments.</p>
<p>30. What could we do to make licensing for rigging work better? How could the model WHS Regulations be changed and how would that ensure the health and safety of workers and others at the workplace? Are there other ways?</p> <p>No additional comments.</p>
<p>Telehandlers</p>
<p>31. How well are the current jurisdictional arrangements for telehandlers working and why? Are they improving safety outcomes? Is a national approach needed?</p> <p>No additional comments.</p>
<p>32. What are the risks to safety resulting from the current arrangements for telehandlers?</p> <p>a. What changes to the model WHS Regulations could be made to manage these risks? How would this ensure the health and safety of workers and others at the workplace?</p> <p>b. Are there any other ways these risks could be managed?</p> <p>No additional comments.</p>

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<p>33. How much of an impact has this had on you, your workplace, or your work? No additional comments.</p>
<p>34. How will this change as technology, work practices, and environments evolve? No additional comments.</p>
<p>Definition of crane</p>
<p>35. How well does the current definition of a ‘crane’ reflect the capabilities of current cranes and how they are used? Why? No additional comments.</p>
<p>36. How will this change as technology, work practices, and environments evolve? No additional comments.</p>
<p>37. How much of an impact has this had—or will this have—on you, your workplace, and your work? Does it create safety risks and, if so, what are they? No additional comments.</p>
<p>38. What changes could be made to improve the definition? How would this ensure the health and safety of workers and others at the workplace? No additional comments.</p>
<p>39. Are there other cranes for which the definitions in the model WHS laws cause issues or problems? If so, please provide details. No additional comments.</p>
<p>Definition of tower crane</p>
<p>40. How well does the current definition of a tower crane reflect the capabilities of current cranes and how they are used? Why? No additional comments.</p>
<p>41. How will this change as technology, work practices, and environments evolve? No additional comments.</p>
<p>42. How much of an impact has this had—or will this have—on you, your workplace, and your work? Does it create safety risks and, if so, what are they? No additional comments.</p>
<p>43. What changes could be made to improve the definition? How would this ensure the health and safety of workers and others at the workplace? No additional comments.</p>
<p>Definition of vehicle loading crane</p>
<p>44. How well does the current definition of a vehicle loading crane reflect the capabilities of current cranes and how they are used? Why? No additional comments.</p>
<p>45. How will this change as technology, work practices, and environments evolve? No additional comments.</p>
<p>46. How much of an impact has this had—or will this have—on you, your workplace, and your work? Does it create safety risks and, if so, what are they? No additional comments.</p>

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<p>47. What changes could be made to improve the definition? How would this ensure the health and safety of workers and others at the workplace? No additional comments.</p>
<p>Definition of HRW using a bridge and gantry crane</p>
<p>48. How well does the current definition of HRW using a bridge and gantry crane reflect the capabilities of current cranes and how they are used? Why? The system works well in its application to us. There is sometimes confusion as to what is a "Powered Operation"? Is Up and Down, 1 operation or 2?</p>
<p>49. How will this change as technology, work practices, and environments evolve? We don't foresee any direct impact on our work practices.</p>
<p>50. How much of an impact has this had—or will this have—on you, your workplace, and your work? Does it create safety risks and, if so, what are they? We don't foresee any direct impact on our work practices.</p>
<p>51. What changes could be made to improve the definition? How would this ensure the health and safety of workers and others at the workplace? Add to the definition of what the 3 powered operations could be, eg. 1. Lift (Up and Down), 2. Transverse (Left and Right) 3. Travel (Forward and Back)</p>
<p>Additional issues</p>
<p>52. Are there other issues related to crane licensing under the model WHS laws? No issues other than the ones raised above.</p>