



AMIEU
NEWCASTLE & NORTHERN

**REPORT INTO CHLORINE DIOXIDE
INCIDENT OF 7TH MARCH 2016**

SUMMARY

The AMIEU believes that Baiada’s response to the incident of Monday 7 March was inadequate and that the company is not adequately prepared should another similar incident occur.

The AMIEU wishes to work together with Baiada to ensure that safeguards are put in place to prevent such an incident happening again, and looks forward to enjoying a close future relationship with the company on the important issue of worker safety.

The AMIEU will be supporting affected workers to ensure that they are properly classified under Workers Compensation legislation and not financially impacted by the events of Monday 7 March.

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BAIADA'S RESPONSE TO THE INCIDENT

The AMIEU believes that the following critical issues contributed to an inadequate response by the company on the morning of March 7.

1. Workers were evacuated too late and concerns not taken seriously

The AMIEU has disturbing testimony from a number of workers that dangerous odours were present in the plant as early as 0600, growing in intensity throughout the morning. In particular, the AMIEU understands that areas such as the cut-up and hanging sections were already filled with a dangerous chemical smell when workers arrived to begin their pre-work preparation at 0600.

While different areas of the plant were affected by different levels of leaking chlorine gas and therefore reported symptoms at different times, the overall picture is one of **confusion and disorganisation**.

Multiple workers have testified to the AMIEU that by 0700 – 0730, odours were so strong that concerns were raised to supervisors. These concerns were ignored and the AMIEU understands that some supervisors ordered their staff to return to work.

From 0730 - 0800, multiple workers across different sections were reporting burning, irritated eyes and light-headedness. This should have been seen as a severe warning sign and yet **no action was taken**. The AMIEU has heard testimony that at least one supervisor dealt with the problem by handing out masks.

This behaviour is absolutely unacceptable and shows a poor understanding of the importance of workplace health and safety.

Under no circumstances should continued production be a greater concern than the health and safety of workers. Product is replaceable. Lives are not.

2. The fire alarm was not activated until workers had already been evacuated

The AMIEU understands that workers at the Beresfield site had already largely left the building by the time the fire alarm was eventually activated (at 0910, a **full 30 minutes after** emergency services had arrived at approximately 0840).

At approximately 0830, some workers report that they were ordered to the canteen, then ordered back to work again 20 minutes later at 0850. They were then ordered back out to the canteen again at 0910. There was a large amount of confusion over whether or not they were really being evacuated, or what was happening.

Workers could have been evacuated from this hazardous environment sooner **if the fire alarm was actually used for its intended purpose**. The AMIEU has received testimony that some workers did not heed the verbal order to evacuate because the fire alarm had not sounded.

3. Emergency vehicle access was delayed due to the main gate being closed

Emergency vehicles were forced to take a longer, slower detour around the rear of the plant to get access to the affected area rather than accessing the site directly.

This is completely unacceptable and could have put lives at risk. The AMIEU questions why the main gate remained closed until after emergency vehicles had already arrived. In an emergency situation, emergency vehicles have absolute priority and must not be impeded in the performance of their duty.

4. Poor handling of evacuated workers

The AMIEU understands that evacuated workers were ordered to remain in the open sun or in poorly ventilated buildings, and were not provided with sufficient water or other liquids. Multiple workers who were unaffected by the chlorine leak have testified to the AMIEU that they ended up feeling worse than before they left due to heat stroke, sunburn, and dehydration.

The AMIEU also understands that at one point, 24 bottles of water were provided for sharing between approximately 100 evacuated employees who were left in the sun.

The AMIEU wishes to work with Baiada to establish acceptable evacuation areas for its employees and to establish a plan that will ensure they are cared for after evacuation.

5. Privacy concerns of women workers not respected

The AMIEU has received testimony from a number of evacuated women workers who had to remove their clothes for emergency decontamination. These women were forced to wear small, revealing towels, and to stand around in open areas with other workers rather than being given proper replacement attire and privacy.

In addition, the AMIEU understands that only a small number of towels were made available, necessitating that the women share these towels between them.

This is not an acceptable way to treat evacuated employees. If a private change room is not available, proper attire must be given to workers who have been forced to remove their clothes.

6. Communication breakdown

AMIEU site delegate Sally Dunn testifies that she was not informed of the incident by Baiada management.

In the event of a major incident, Baiada management must inform union site delegates of the threat to their members and provide them with a full and proper briefing.

PART 2

LIKELIHOOD OF FUTURE INCIDENTS

The AMIEU understands that workers are currently concerned about the possibility of future incidents at the Baiada Beresfield site.

Hazardous environments already exist

Multiple workers at the Beresfield site have testified to the AMIEU that they work in areas where, due to poor ventilation, it is commonplace for them to constantly suffer burning or irritated eyes and to feel nauseous or otherwise uncomfortable.

They reported being told to “deal with it” when raising the issue to their supervisor, rather than receiving an appropriate response.

The AMIEU would like to see Baiada commit to instructing its supervisors to take complaints of discomfort or irritated eyes seriously, as these are indicators of a potentially more serious problem and do not constitute an acceptable working environment.

In the case of areas where these complaints are commonplace, the AMIEU wishes to see Baiada implement better ventilation systems and to double-check for hazardous gases.

Ammonia leakage

The AMIEU notes concerns from members that ammonia levels within areas of the plant are too high.

The AMIEU would like to see more clarity from Baiada on:

1. What is the procedure for ammonia testing? How can workers be sure the testing is being done correctly?
2. What levels of ammonia does Baiada consider safe?
3. What is the definition of a “minor leak” for the purposes of health and safety?
4. Which areas are likely to be the most affected in the case of an ammonia leak?

Workers would like to see a survey of the plant completed to look for areas where hazardous gas build-ups are likely to occur.

Key areas of interest in this survey (initially) would be the tunnel, the turkey plant, and in distribution.

BAIADA'S ABILITY TO RESPOND TO FUTURE INCIDENTS EFFECTIVELY

The AMIEU is concerned that in the event of a repeat incident, the below critical issues may prevent Baiada from responding effectively.

Lack of fire alarms or guidance on proper alarm-raising procedures

Multiple workers have voiced their concerns to the AMIEU that not only were they unsure when it was acceptable for them to push the alarm button, but that alarm buttons were not available in their working area.

Some workers testified to the AMIEU that they **do not actually even know where their nearest alarm button is**, in the event they should have to activate it. This situation is not acceptable. Every single worker at every single site across Baiada's operations should know this basic safety concept.

Turnstile is too difficult to use during an emergency scenario

The AMIEU received complaints from its members that evacuating through the turnstile is cumbersome, and a better way is needed in an emergency situation.

We believe that a possible solution to this problem could be to have the turnstile wired in such a way that it automatically unlocks when the alarm is sounded, allowing workers to escape freely.

(In such a situation the main gate should also unlock and open automatically, allowing for workers to evacuate with maximum efficiency.)

AMIEU RECOMMENDATIONS

Following consultation with its members and pending discussions with Baiada, the AMIEU will be undertaking to:

1. Improve the numbers of Health & Safety Representatives on site

There are only 4 Health & Safety Representatives at the Beresfield site, which is an unacceptably low number. The AMIEU will be undertaking a recruitment campaign within the Beresfield site staff to increase these numbers, targeting an ultimate goal of one Health & Safety Representative in every work group.

2. Establish clear safety guidelines for hazardous gases and communicate them to our members

We will work with Baiada to formalise guidelines under which workers may operate in environments that are likely to be contaminated with hazardous gases like ammonia or chlorine. We will communicate these guidelines to our members to allow them to understand what levels are safe and how to check them for themselves.

3. Ensure that workers are trained in proper emergency procedures

We will work with Baiada to ensure that workers are aware of

1. The circumstances under which an alarm should be raised
2. How to locate their nearest alarm

PART 5

AUTHORITY AND CONTACT DETAILS

This report was prepared by the AMIEU after consultation with hundreds of Baiada Beresfield workers, multiple on-site meetings, and the collection of dozens of verbal and written statements.

The AMIEU believes that the information in this report is true and correct to the best of our understanding.

Names of employees have been withheld from this report to protect their privacy.

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