



Matt Kean

Minister for Innovation and Better Regulation

MEDIA RELEASE

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CONSTRUCTION COMPANY FINED OVER WORKER'S SPINAL INJURIES

A Sydney construction company has been fined \$300,000 for failing to properly manage a faulty gate which fell on a worker, fracturing her lower spine and pelvis, Minister for Better Regulation Matt Kean said.

It is the third time SafeWork NSW has prosecuted Ceerose Pty Ltd for failures in workplace safety, including one incident which resulted in a worker's death in 2013.

In the most recent case, the woman was working at a Ceerose Pty Ltd site in Camperdown as a traffic controller when she was injured in May 2015.

Sydney District Court was told the site was secured by a heavy steel gate, which operated electronically on a sliding track. As power to the site had been disconnected, workers were opening and closing the gate manually.

On the day of the incident, it was the worker's job to lock the gate when the last trucks left the site. As she pushed the gate closed, it came off the track and landed on her.

Mr Kean, who is responsible for SafeWork NSW, said an investigation had found Ceerose failed to conduct a proper risk assessment, or develop a safe system of work for the manual operation of the gate.

"Ceerose also failed to engage a mechanic or engineer to service the gate, even though this poor woman had informed a supervisor in the months leading up to the incident that it was getting increasingly difficult to open and close the gate," he said.

"Alarming, an inspection of the gate revealed that it was missing a piece that was vital to its correct operation.

"Every NSW worker has the right to a safe and healthy workplace, and SafeWork will continue to take decisive action against businesses that fail to provide this."

In handing down the penalty, Judge Andrew Scotting took into consideration that this is the third SafeWork NSW prosecution against the company.

In this week's judgment, Ceerose was also ordered to pay SafeWork's legal costs. The company has 28 days to lodge an appeal.