

WHEN APPOINTING STAFF

You must find out what the applicants have not said. Beware of CVs that do not give start months and finish months that match all the way. You will find that they have been in jail, or worse still have been "having a PG" on a sucker employer to the tune of \$4,000 once a year along with a six month appointment that was "genuine". It is important for employers to know that there are many thousands of employees that have no principles.

FIRE SAFETY SYSTEMS ARE NOW VERY POPULAR

I wish to remind Clients that they may get increases of about 25% in their insurance as a consequence of terrorist activities. However, if they are prepared to have a fire safety audit, fire warden training and implement fire safety procedures they should be able to reduce their fire premiums by about 50%. If they wish to save up to 20% on ACC the combined package would come to about \$3000 over 12 months and they should save more than that every year. The on-going costs would be less than \$1000.



PROFESSIONAL DRIVERS

We have produced a booklet training course for plant operator and driver safety. This is corollary to the fire regulations and means that this is a supplementary component to the Fire Warden course where there are drivers and plant operators. You will appreciate that vehicles are very expensive and the premium structures range from 0.5% to 10%. At 10% it becomes an uninsurable burden. At 4% the insurer and the bank own the vehicle. I have had discussions with a former client who cannot understand what is going on and is being deceived by the broker.

Consultant Name _____ Telephone _____
All information in this newsletter is to the best of our knowledge true and accurate. No liability is assumed by the author, or publisher, for any losses suffered by any person relying directly or indirectly upon this newsletter. Please call our Head Office for specialist advice.

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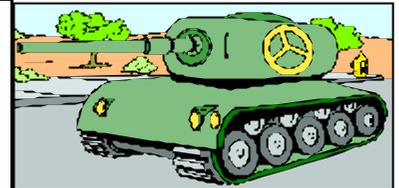


S U M M I T
SYSTEMS LIMITED

For Business Qualifications and Risk Management

News & views from Summit
Spring 2002

**HOW ALL EMPLOYERS
 CAN NOW AVOID OSH
 PROSECUTIONS IN
 3 SIMPLE STEPS**



STEP ONE.

Ask Summit Systems Ltd to complete Injury Prevention training for all staff and management. This is only \$30 per person and produces exceptional results, on average 75% fewer accidents for the typical workplace in NZ.

STEP TWO.

Ask Summit Systems Ltd to explain to you the five things that the OSH Manager Operations in Wellington looks at if you have a serious accident and he receives a report from an OSH Inspector. He will normally make a decision to prosecute if you have not met all five.

1. Proof of high quality management system
2. Proof of training of all staff in safety and injury prevention
3. Proof of training of a safety supervisor or safety rep
4. Proof of site audits and meetings and monitoring
5. Proof of hazard ID and documentation and rules

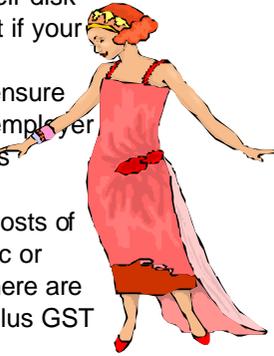


STEP THREE.

If you have a serious accident and you are a client of Summit Systems Ltd, and it appears that the accident could lead to possible prosecution, Contact Summit Head Office immediately. Summit Systems will draft a legal affidavit so that the OSH Manager will probably not refer the matter to the OSH Crown Prosecutor in Wellington for prosecution.

HUMAN RESOURCE SYSTEM UPDATE

All holders of our HR system should urgently send in their disk for a patch to the contract. The purpose is to ensure that if your staff try and do a PG or a dispute, or claim stress or harassment, - that the employee will be responsible to ensure that there is a proper attempt to settle directly with the employer prior to "stabbing in the back". Failure to settle under this process will automatically mean (under our contract as amended) that the employee will be liable for the legal costs of both parties. The intention is to try and stop the epidemic or plague of frivolous and vexatious claims all around NZ. There are tens of thousands of claims per annum. The fee is \$80 plus GST per disk for the update.



INDEPENDENT CONTRACTOR SYSTEM

Many employers have given up on having employees as it is much too tough for their business to survive. You may be pleased to know that we can now help you with an innovative independent contractor system. The system is \$390 plus GST for setting up and \$50 per contractor. An option is to purchase a software copy and you are then able to make your own copies for your site. Please understand that we have checked out this system with several lawyers as to correctness. In many cases you will be able to "convert" workers to the contractor system. The exceptions will be full time workers under your control. We believe that you will find that most employers will quickly move to have a few employees and all others will be contractors. Summit has operated in this mode for 10 years.

VIDEO CATALOGUE

We are progressing this scheme and will endeavour to have a video catalogue up and running by the end of November 2002. Our Clients will be able to buy high quality safety training videos at reasonable prices. An index of groups will be listed at our website <http://ssl.esummit.co.nz>

WHEN TO REPORT A SERIOUS HARM

We wish to advise Clients that a few OSH Inspectors are trying out intimidatory actions. One of the methods is to insist that a serious accident be reported immediately. In fact they will go so far as to quote section 25 subsection 3a. This states that "Where there occurs any serious harm or accident to which this subsection applies, the employer

concerned shall - as soon as is possible after its occurrence, notify the Secretary of the occurrence". It should be noted that as soon as possible in my view, does not mean immediately. It should also be noted that early notice does not apply to the accidents not involving serious harm. You should also note that you are allowed time to consult with experts and consultants or lawyers. It is also important to note that in many cases when a person is ambulated to hospital it may be necessary to await a medical, clinical or surgical opinion to decide the level of harm/no harm.

Section 26 provides that where a person is seriously harmed while at work, no person shall, unless authorised to do so by an inspector, remove or in any way interfere with or disturb any wreckage, article, or thing related to the incident except to the extent necessary- (a) to save the life or, prevent harm to, or relieve the suffering of, any person; or (b) to maintain the access of the general public to an essential service or utility; or (c) to prevent serious damage to or serious loss of property.

SUMMIT SYSTEMS LTD CAN NOW OFFER THE SAFETY CO-ORDINATOR CERTIFICATE COURSE

Good news for Clients! We have a strategic relationship with NZITO and after four years have gained accreditation from NZQA to offer levels 1-4 Occupational Health and Safety plus levels 4-5 Workplace Safety unit standards. This embraces about 40 unit standards. You will find a list of the training options on our website <http://ssl.esummit.co.nz>

WHEN REVIEWING STAFF

When meeting with staff to discuss their work in a private setting you need to be extremely careful. It is a simple matter for an employee to fabricate that he or she was stressed out by the interview and that it became an examination of the quality of work and that it developed into criticism of his or her work.

The employee can walk out of an interview and go home in tears. S/he may then claim that constructive dismissal occurred. It will be almost impossible for you to prove otherwise and you will need to get your private chequebook out for up to \$4000 (or go to court and spend \$4000 anyway). Always ensure that you have a witness present and that you take notes of what was said and get it signed off.

