

ABB

Installation Division

ABB Industry Pty Limited

ACN 000 390 536

007106

FAXED
11 MAR 1999**Melbourne City Link Project****Head Office**

2 Douglas Street
Port Melbourne Vic 3207
Ph. 96444150
Fax. 96444155

Date: 11/03/99

Ref: 100/181

To: Transfield Construction

Attention: John Holland

Project Manager

Project Office

City Link Site,
Moore Street,
South Melbourne Vic. 3205
Ph.96865933
Fax.96865944

Dear John,

RE: FIRST AID PERSONNEL AND FACILITIES

I refer to the above subject on which ABB management have been advised, on numerous occasions, by TCV management and supervision, that site requirements are for "Level II First Aid" qualification amongst employee work groups. This matter has been the subject of numerous disputes between ABB management and ABB employees, who have the view that the requirement should be "Level III First Aid".

The circumstances of the most recent dispute over this matter are however complicated. On Saturday 6th March, ABB employees at Grant Street refused to commence work due to the lack of a level III first aider. This was complicated by the lack of TCV/TOJV personnel on duty at the Grant Street Site. All offices on the site were locked, and contact with other sites was not fruitful in attempting to have a TCV OH&S person, for that matter a TCV supervisor normally required for work direction, located on the Grant Street Site. As a result of this situation ABB employees left site at about 8.30 AM.

Given these circumstances, on the 9th March, ABB management sought the advice of WorkCover. A WorkCover officer advised that they believed the City Link Project, specifically the Grant Street Tunnel Site was a "High Risk Area" and as such it would be WorkCover's view that employee demands for a level III first aid person to be located on site, was reasonable. In fact the veracity with which the officer made the point would suggest that he believed it to be mandatory. It should also be noted that this officer has been to the site as recently as one week ago whilst investigating an accident.

As a result of the above, ABB demands that TCV responds, by close of business on the 12th March, to the following questions and requests:

1. Is the Grant Street site, a Level II, or a Level III requirement with regards to first aid.

007107

2. If TCV considers the Grant Street site to be a Level II requirement, please supply the risk analysis on which this assessment was made.
3. If TCV considers the Grant Street site to be a Level II requirement, please supply any approval that has been given by an external authority, such as WorkCover.
4. In relation to TCV manning the Grant Street site, from both a work direction and OH&S perspective, please advise the extent to which TCV believes it's duty of care extends.
5. In relation to point 4 above, please supply any supportive information or advice from an external authority that supports TCV's position on its duty of care.

TCV management have now verbally advised (10th March) that they had severe concerns of precedents being set, when ABB management placed a Level III qualified Nurse on the site on afternoon shift, whilst ABB employees undertook first aid training. It should be noted that this occurrence took place in January and at that time, no concerns were raised by TCV other than demands that we get people working. In fact at the time, discussions by John O'Driscoll with Jim Harvey of TCV suggested that TCV did not have a concern if ABB chose to train some employees beyond the site requirement of Level II.

Regards,


Ron Smith
Project Manager.