
Application for an enforceable undertaking

Part 4, Health and Safety at Work Act 2015

The commitments in this application are offered to WorkSafe NZ

by

Begovich Builders Limited

New Zealand Government

WORKSAFE
NEW ZEALAND | HAKI HAKARANGI
AOTIAROA

Application for an enforceable undertaking

Part 4, Health and Safety at Work Act 2015

The commitments in this undertaking are offered to WorkSafe New Zealand (WorkSafe) by

Shaun Begovich, Managing Director

On behalf of

Begovich Builders Limited

This enforceable undertaking is given on the day and date that it is accepted and signed by WorkSafe. The undertaking and its enforceable terms will operate as a legally binding commitment on the part of the person from the date it is given.

Do not refer to the victim by name in this document. Please refer to the victim / worker / employee / volunteer / or other term as appropriate.

WorkSafe respects your privacy and is committed to protecting personal information. The information provided in this document is for the purpose of an undertaking given to WorkSafe under Part 4 of the *Health and Safety at Work Act 2015*. This information will be managed within the requirements of both the *Privacy Act 1993* and the *Official Information Act 1982*.

There is an expectation that WorkSafe will generally publish the undertaking in full on its website.

TERM	DEFINITION
Contravention	An action which offends against the Health and Safety at Work Act 2015 and/or any Regulations made under it. It includes both health and safety contraventions. A contravention also includes an alleged contravention.
HSMS	Health and Safety Management System
Person	An individual who or a legal entity which has a duty under the <i>Health and Safety at Work Act 2015</i> and can give a written undertaking. The term includes individuals, each partner in a partnership, corporations, trustees of trusts, and crown organisations.
Health and Safety Legislation	<i>Health and Safety at Work Act 2015</i> and associated regulations
Enforceable undertaking	An enforcement pathway that allows a duty holder to voluntarily enter into a binding agreement with WorkSafe. The agreement outlines actions the duty holder will undertake to address the contravention. It is expected to deliver activities which benefit workers, the wider industry or sector and/or the community as well as acceptable amends to any victim(s).

Section 1: General Information

1.1 Details of the person / persons / entity giving the undertaking

Name of person(s) making this undertaking:

Shaun Begovich, Managing Director

Name of Entity:

Begovich Builders Limited

Type of Legal entity:

Registered NZ Limited Company

Nominated contact person:

Shaun Begovich

Physical address:

19C Rawhiti Ave
Matamata
3440 /
28 Pulham Crescent
Queenwood
Hamilton

Postal address (if different):

PO Box 520
Matamata
3440

Work phone:

021 605 682

Mobile phone:

021 605 682

Email:

shaun@begovichbuilders.co.nz

Industry:

Building and Construction

Workers (enter numbers:

Full-time

15

Part-time

1 (admin)

Casual

Nil

Description of the products and services provided by the business or undertaking:

Construction of new residential dwellings, commercial buildings and renovations to buildings.

Comments:

1.2 Detail of the contravention

Begovich Builders Limited (BBL) has been charged with one charge under sections 31(1)(a), 48(1) and 48(2)(c) of the Health and Safety at Work Act 2015 in relation to an incident on 26 October 2016 in Cambridge.

WorkSafe New Zealand alleges that BBL, being a PCBU, failed to ensure so far as was reasonably practicable, the health and safety of workers who worked for BBL, while the workers were at work in BBL's business, and that failure caused the workers to suffer serious injuries, and exposed the workers to the risk of death or serious injury.

It is alleged that BBL failed to ensure the health and safety of the workers by failing to:

- i. Adequately identify and assess the risks associated with erecting timber frames and ensuring effective controls, such as mechanical aids, were implemented to manage the risks;
- ii. Develop and implement an adequate standard operating procedure in respect of the erection of timber frames; and
- iii. Ensure workers were adequately trained and competent to safely undertake manual handling tasks including handling and erecting timber frames.

1.3 Detail the events surrounding the contravention

On 26 October 2016 four workers employed by BBL (the workers) were working at a building site for a residential dwelling.

The plan for the day was to erect the timber frames for the dwelling. In order to protect the concrete floor which had already been laid from being permanently stained, the workers covered it with a polythene sheet before starting to erect the timber frames.

The workers manually lifted 2 frames into place and nailed them together to form an L shape. The frames were not secured to the floor in order to minimise damage to the concrete floor. Instead, the frames were braced using a piece of structural timber positioned diagonally from the floor and nailed to the side of one of the frames.

Together the workers began to raise the third timber frame (Frame 3). Worker 1 and Worker 2 stood on the outside edges of the rear of the frame with Worker 3 and Worker 4 between them.

With Frame 3 footed against the frame that was nailed to the brace, the workers lifted the top end of Frame 3 to waist height before thrusting it above their shoulders and then above their heads. Frame 3 was then progressively raised at the top end as the group walked it up towards the other timber frame.

The position of the workers' hands relative to the length and centre of balance of Frame 3 changed as the workers walked closer to the other frame, with the workers moving beyond the frame's centre of balance when there was more of the frame behind them than in front.

At approximately 2 metres from the bottom of Frame 3, the other frames started to move away from their position. Frame 3 started to fall backwards towards the workers followed by the other frames.

Workers 1 and 2 were knocked out of the way but Workers 3 and 4 were unable to escape in time and were crushed beneath the three frames.

Worker 3 suffered a laceration to his head which required five stitches. Worker 4 was flown by helicopter to Middlemore Hospital and is paralysed from the waist down.

1.4 Detail any enforcement notices issued that relate to the contravention as detailed in term 1.2

DATE	NOTICE TYPE	NOTICE NUMBER	CONTRAVENTION OR PROHIBITED ACTIVITY	ACTION TAKEN IN RESPONSE TO NOTICE
DD / MM / YEAR	N/A			
DD / MM / YEAR				
DD / MM / YEAR				

1.5 Detail the rectifications to the workplace or work practices made as a result of the contravention (1.2), events (1.3) and the enforcement notices issued (1.4)

(a) Changes to BBL's procedures / training relating to erecting timber frames

Following the Incident, BBL has undertaken a comprehensive review of its Hazard and Risk Management Register, and made appropriate amendments including the addition of the risk created when erecting timber frames.

The hazard posed by the standing of large frames has been included into the hazard register.

It has been decided internally that if any framing meets or exceeds ANY one of the following,

- 5 meters in length;
- 3 meters in height; OR
- made with 6x2' framing (weight),

then a risk assessment must be conducted/ recorded in the BWARE safety application. As a result an informed decision can be made as to whether the frame can be stood safely manually by the team or whether a hi-ab is the safest and/or most efficient method of standing/ lifting the frame into place.

Site Foreman has autonomy to make a decision to use a hi-ab to stand the frame(s) following a risk assessment.

If there are more than 6 frames that are considered 'oversize' as per our details then a hi-ab will be arranged to stand/lift those frames into place.

When pricing houses the company now includes hi-ab hire in the hireage of equipment in its quotes.

(b) Task analysis

We have undertaken a full rework of our hazard management system, which is now oriented around the core tasks of our business. This has involved dividing our workflow into 19 distinct tasks, with a view to assisting workers to assess the live hazards in any given situation.

Task analyses have been drafted (and are being refined) for the following tasks:

- i) Site set up;
- ii) Hanging interior doors;
- iii) Bathroom renovations;
- iv) Standing frames;
- v) Concrete floors;
- vi) Erecting / dismantling mobile scaffolding up to 5 metres;
- vii) structural beam installation,
- viii) scribe installation;
- ix) installing interior stairs,
- x) retaining walls
- xi) kitchen / joinery installation
- xii) roof framing
- xiii) concrete placement
- xiv) finishing lines installation
- xv) insulation
- xvi) interior linings
- xvii) window installation
- xviii) framing

- xix) Installing ceiling battens.

These identify the steps, hazards and controls relating to this particular task and all staff are now trained on the document as part of their Induction and/or development.

(c) Weekly health and safety reports

Weekly health and safety reports are now sent through to the Foremen to ensure that the topics discussed at the Monday morning meeting are consistent across both the Matamata and Hamilton sites.

(d) Weekly toolbox talks

Weekly toolbox talks have been implemented in both Matamata and Hamilton. Attendance is compulsory for all staff members. Topics discussed at each meeting include:

- i) Workplace events,
- ii) Positive safety reports;
- iii) Emergency information / equipment;
- iv) Tools and equipment;
- v) Training and supervision;
- vi) Contractor management;
- vii) PPE;
- viii) Hazardous substances;
- ix) Hazards and risks.

These meetings generally take anywhere between 30 mins to 1 hour each Monday morning.

(e) Changing of culture in relation to reporting small accidents / hazards

Following the incident, BBL has done everything possible to enforce reporting of all small accidents / incidents and hazards, so that these can be improved before they turn into big events.

1.6 Total amount of money spent on rectifications

The estimated cost of rectifications undertaken by BBL following the incident (i.e. those costs capable of quantification) is as follows:

Rectification	Approximate cost
Drafting of Task Analysis	included at 3.3 below
Weekly health and safety reporting	\$2,000 per 12 months (that is, \$40 + GST per week)
Weekly toolbox talks	\$17,352.40 per 12 months
Total	\$19,352.40

1.7 Detail the injury sustained or illness suffered by victim(s) or other(s) as a consequence of the contravention or, (as applicable) the potential for fatal injury or future fatal illness

Worker 4 suffered a burst fracture of the L2 vertebra. He is paralysed from the waist down.

Worker 3 suffered a laceration to the top of his head, which required five stitches, and bruising to both hips. He was not admitted to hospital and was off work for 7 days due to his hip bruising.

Worker 2 suffered a back strain as a result of lifting of the frame up. He returned to work the day following the accident.

1.8 Detail any offer of amends or payments made to the victim(s) who sustained injury or suffered illness (the total monetary amount here is also to be included in the table at 3.12.3)

Describe the victim(s) relationship to you / the entity in question –

Employee

Detail offer of amends or payments:

Worker 4



Total (Worker 4)	\$105,500.00
-------------------------	---------------------

These amounts cover sums paid by BBL directly and exclude ACC entitlements.

Workers 2 and 3

Proposed payments within 14 days of undertaking acceptance: \$1,000 each

1.9 Detail any consultation with the victim(s) as to their views on whether an enforceable undertaking would be an acceptable alternative to prosecution



1.10 Detail any consultation with unions / sector / industry as to their views on whether an enforceable undertaking would be an acceptable alternative to prosecution

No formal approvals have been sought, but appropriate representatives of the following organisations have been consulted in connection with the preparation of BBL's application: Certified Builders Association, BCITO, Frame and Truss Manufacturers Association, SiteSafe, MBIE.

1.11 Detail the support provided or proposed by the person to the victim(s), other(s)

DATE	DESCRIPTION OF SUPPORT	COMMENTS
Various	Worker 4: Hospital visits by directors and staff of BBL	
Various	Worker 4: Several phone conversations with parents in the weeks following accident	
Various	Worker 4: 2x visits during rehab by Shaun Begovich	
Various	Worker 4: Offers of accommodation support etc during rehab	
13/05/2017	Worker 4: Financial support of \$17,000 to assist with training and/or wheelchair sports	
Various	Worker 4: Regular contact in person and over phone	
Various	Worker 4: offer of support in further vocational training including employment	

17/02/2018	Worker 4: Organised fundraising run in Taupo to raise funds to assist with ongoing support. At Worker 4's request, funds donated on his behalf equally between the Westpac Rescue Helicopter and the Middlemore Foundation (Auckland Spinal Rehabilitation Unit).	Money raised \$24,889.33 (topped up to \$25,000)
	BBL financial contribution to organising the fundraising run (i.e., accommodation, food, drinks, prizes for sponsors etc)	\$4580.86
	Administration: organising marketing to gather sponsorship, organising transport, accommodation for all 24 runners, food, drinks etc	\$5,000 (approx.)

1.12 Detail any current HSMS implemented and maintained by the person

BBL has a functioning Health and Safety policy (system/manual) which is reviewed regularly.

Company Health & Safety Handbook: On employment each employee is given a copy of the Company Handbook and the Company Health and Safety Handbook, which contains information on:

- Hazard Management & Risk Assessment
- Event Reporting
- Training & Supervision
- PPE
- Health Monitoring
- Emergency Preparedness
- Hazardous Work
- Maintenance of Tools & Equipment
- Tool Isolation and Lockout Procedures
- Permits to Work
- Hazardous Substances
- Alcohol & Drugs
- Contractor Management
- Site Specific Safety Plans & Inductions

Health & Safety Induction Process: On the workers first day with the company the new employee will spend 3-3.5 hours going through the company health and safety induction presentation with the trainer which covers off the following information:

- An introduction to the Health & Safety at Work Act
- Company Health & Safety Policies and Procedures
- Hazard/ Risk Management (Identification, Assessment & Control)
- BBL Hazard Register
- PPE Requirements (PPE Gear issued to employee, instructed in its use, required maintenance & how to store PPE)
- Event Reporting
- Emergency Procedures
- Hazardous Substances (Hazardous Substance Register, Where to find SDS and how to read information on SDS)
- Asbestos
- Safe Maintenance of Tools & Equipment
- Test Tagging of Equipment

- Contractor Management
- Site Specific Safety Requirements
- An overview of the Company Health and Safety Software, Download the Safety App on Smart Phone

Employee Tool Training/ Internal Equipment Training: Following the health and safety induction the new staff member must undertake the internal equipment training for all tools and equipment with a company internal trainer. This will usually take 3 - 4 hours to go through all required equipment.

Weekly Toolbox Talks: This is the main communication channel used to communicate health and safety information directly to the workers and it is also an effective method of employees voicing concerns, raising health and safety issues or upcoming work that needs safety consideration. This happens each and every Monday morning prior to leaving the workshop so that all employees can participate in this discussion together. Minutes are kept on each meeting and actions to be completed are recorded and monitored.

Pre-Start Checks: Prior to starting work on any client worksite, a pre-start safety check is completed to take into account any hazards that may be present during that day's work, the severity of those hazards and appropriate control measures. The Site Safety Noticeboard is then updated to reflect these daily hazard changes.

Event Reporting & Investigation: Recording, investigating and taking corrective or improvement measures on all incidents and accidents. Incidents and accidents are recorded at the minor level via the BWARE safety app and those requiring investigation and a higher level of attention are then passed on to our H&S Consultant who will undertake a thorough ICAM investigation.

Task Analysis: We are currently in the process of reviewing the 19 task analyses created so that these documents can form part of a new employees training and development. That way we believe we have created clear operating procedures to ensure that all activities are conducted methodically, reproducibly and safely.

Site Specific Safety Plans: Prior to starting all new projects a site specific safety plan is created to ensure that all hazards and risks are identified, assessed, controlled and managed during the course of that project.

1.13 Detail the level of auditing undertaken on the HSMS, including compliance audits and audit frequency

BBL has engaged an external consultant to undertake regular work operation safety audits. These are to be scheduled quarterly.

Directors in BBL and Site Foreman will also undertake safety observations/ inspections and as required safety discussions with staff on their daily work encounters.

1.14 Detail the consultation undertaken or proposed to be undertaken, in relation to this undertaking

This incident was used as an example in the Matamata BNI chapter about the importance of health and safety in the workplace and about how easily an accident can occur in any business, regardless of how many policies and procedures you may have in place. Safety is all about actions not paper.

The contents of this enforceable undertaking have been discussed with the injured worker as well as all other workers and they have been provided the opportunity to provide some input into this application.

The specific proposals outlined at 3.4 below have also been raised in consultation with Certified Builders, Site Safe, BCITO and the Frame and Truss Manufacturers Association.

The Future:

The scope of this Enforceable Undertaking and the specifics will be presented to all BBL staff where we will arrange a companywide meeting with all staff members.

Section 2: General Terms

The person acknowledges and commits to the general terms set forth in the sub-terms below.

2.1 Acknowledgement that WorkSafe alleges a contravention occurred as detailed in term 1.2

BBL acknowledges that WorkSafe alleges that it has contravened section 36(1) of the Health and Safety at Work Act 2015.

2.2 Statement of regret that the contravention occurred

BBL and its directors deeply regret the incident, and in particular the permanent serious implications for such a valued employee and friend. It is committed to ensuring that the business learns from the incident and works to do what it can to prevent an accident like this from recurring.

2.3 Statement of the reasons why, on balance, the person considers this undertaking is the most appropriate response to the contravention

The proposed undertaking will enable BBL to continue trading and continue its implementation and promotion of a high degree of safety awareness and responsiveness both within its business and in the industry at large, to the benefit of BBL's staff, and those of other operators within the residential construction industry.

The victims of the incident are supportive of its application for an undertaking.

As a relatively small business, BBL and its personnel have been deeply affected by the incident, and there is no deterrent effect that might be achieved by the prosecution process beyond what could equally be achieved through the undertaking process. It wishes to be a force for change of attitudes and practices in the industry.

BBL had a clear health and safety record prior to the incident.

2.4 Statement of commitment that the behaviour, activities and other factors which caused or led to the contravention has ceased and will not reoccur

BBL takes its obligations very seriously and has made substantial changes to its systems and culture to ensure that it and its workers are significantly more conscious and thoughtful in relation to the hazards that led to the incident, and others like them. It has adopted a mode of continuous improvement with a view to constantly refining its management of health and safety risks. It is unreservedly committed to preventing recurrence of the circumstances that gave rise to the contravention.

2.5 Acknowledgment of the policy published by WorkSafe for the acceptance of an undertaking

Begovich Builders Limited
has read and understood the Enforceable Undertakings Policy.

2.6 Acknowledgement that this undertaking will be published and publicised in full

Begovich Builders Limited
acknowledges that the undertaking will, if accepted, be published on WorkSafe's website in full and referenced in WorkSafe material.

2.7 Statement of the person's ability to comply with the terms of this undertaking and meet the projected costs of the activities

Begovich Builders Limited

2.7.1 has the financial ability to comply with the terms of this undertaking and have provided evidence by way of

with this undertaking to support this declaration.

2.7.2 In the event of impending receivership, liquidation or sale of the entity,

Begovich Builders Limited

will advise WorkSafe of the relevant circumstances and its capacity to comply with the outstanding terms of this undertaking.

2.8 Statement outlining any relationship between the person and any corporations, officers, employees, contractors, proposed beneficiaries of donations or scholarship or other recipient of financial benefit contained in this undertaking

As far as BBL is aware, BBL does not have a relationship with any persons or entities that will receive any financial benefit contained in this undertaking (besides the employees of BBL as outlined above).

2.9 Statement regarding Intellectual Property

Begovich Builders Limited

grants WorkSafe a perpetual, non-exclusive, worldwide and royalty-free licence to use, for any purpose, all Intellectual Property Rights in relation to any material developed as a result of this undertaking. This licence includes the right to use, copy, modify and distribute the materials.

2.10 Acknowledgement that the person may be required to provide a statutory declaration

Begovich Builders Limited

acknowledges that it may be necessary for WorkSafe to obtain a statutory declaration outlining details of any prior convictions (safety related) outside of New Zealand and that it will provide such declaration if required by WorkSafe

2.11 Statement of commitment from the person to participate constructively in all compliance monitoring activities for this undertaking

1. It is acknowledged that responsibility for demonstrating compliance with this undertaking rests with the person.
2. Evidence to demonstrate compliance with the terms will be provided to WorkSafe by the due date for each term.
3. The evidence provided to demonstrate compliance with this undertaking will be retained by the person until advised by WorkSafe, that this undertaking has been completely discharged.
4. It is acknowledged that any failure to meet the due date for an enforceable term will result in the matter being escalated and may lead to enforcement action.
5. It is acknowledged that WorkSafe may undertake other compliance monitoring activities to verify the evidence and compliance with an enforceable term, and cooperation will be provided to WorkSafe.
6. It is acknowledged that WorkSafe may initiate additional compliance monitoring activities, such as inspections, as considered necessary at WorkSafe's expense.
7. It is acknowledged that details of all seminars, workshops and training conducted by a non-registered training provider must be notified to WorkSafe, by email, at least one week prior. Notification should include time, date, location and the trainer/facilitator.

Begovich Builders Limited

Section 3: Enforceable Terms

The person acknowledges all activities set forth in the enforceable terms below must be auditable and include a date for completion and an estimated cost for each activity.

The person commits to performing the activities below diligently, competently and by the respective completion date.

3.1 A commitment by the person to perform activities that will ensure the ongoing effective management of risks to health and safety in the future conduct of its business or undertaking

The directors of BBL will undertake a regular review, not less than monthly, to ensure that the activities outlined at 3.3 to 3.5 below are being undertaken and the undertaking complied with.

External review of compliance as outlined further at 3.3 below.

In addition, BBL's directors will undertake a monthly review of its HSMS compliance including but not limited to review of weekly H&S reports, toolbox minutes, and onsite monitoring against the company's requirements.

3.2 A commitment by the person to disseminate information about this undertaking to workers, and other relevant parties

Dissemination will be achieved by doing the following:

1. Provision of a copy of the undertaking to each worker, and all persons injured in the incident.
2. Providing a presentation fully detailing the terms of the undertaking and its objectives to workers and any other interested parties.
3. Making the directors of BBL available to respond to queries from any party regarding the undertaking, its terms and objectives, and BBL's compliance in relation to it.

Dissemination will occur by

Three weeks following acceptance of undertaking.

3.3 Activities to be undertaken to promote the objectives of the health and safety legislation that will deliver benefits for workers and/or work and/or the workplace

ACTIVITIES (outline the activity and the expected outcomes)	COSTS(\$)	TIMEFRAMES
<p>Draft task analysis for the following tasks for application to staff induction and development:</p> <ul style="list-style-type: none"> (a) site set up, (b) hanging interior doors, (c) bathroom renovations, (d) standing frames, (e) concrete floors, (f) erecting/dismantling mobile scaffolding up to 5 metres, (g) structural beam installation, (h) scribe installation, (i) installing interior stairs, (j) retaining walls, (k) kitchen / joinery installation, (l) roof framing, (m) concrete placement, (n) finishing lines installation, (o) insulation, (p) interior linings, (q) window installation, (r) framing, (s) installing ceiling battens. <p>Undertake peer review between BBL's teams of draft task analysis and finalise for final implementation.</p> <p>Outcome will be a practical and useful breakdown of hazards separated into the various tasks of the business providing a living, highly-usable resource for new and existing staff to provide more context-sensitive and practical hazard management, for application in induction and training, and regular toolbox and routine hazard identification and management, for incorporation into site-specific safety plans and toolbox meetings.</p>	\$10,000.00	Within six months of EU acceptance
All employees to watch the Certified Builders – Visual Inspection of Power Tools video and successfully complete quiz.	\$1,000.00	Already completed
<p>All permanent employees to complete the relevant SiteSafe Site Safety Passport / Training:</p> <ul style="list-style-type: none"> (a) Apprentices – Foundation Passport Building and Construction (4 hours); (b) Tradesmen & Foremen - Site Safe Supervisors Gold Card (16 hours); (c) Directors – Certificate in Construction Site Safety (50 hours each) 	<p>\$2,274.22</p> <p>\$8,085.60</p> <p>\$5,700.75</p>	<p>Two months from acceptance</p> <p>Four months from acceptance</p> <p>Six months from acceptance</p>
<p>In the interests of maximising mental alertness of workers, implement policies to reduce sources of impairment that have the potential to affect employees' ability to perform work safely and effectively:</p> <ul style="list-style-type: none"> • Creation of Drug & Alcohol Testing Policy & Procedure, and a fatigue policy for all workers, managers and supervisors which includes 	\$2,000.00	Two months from acceptance.

<p>information about maximum shift length, average weekly hours, planned breaks during a shift, work related travel, procedures for reporting fatigue risks, and procedures for managing fatigued workers. Drug & alcohol testing policy to be developed in consultation with the NZ Building Trades Union or other suitable union.</p> <ul style="list-style-type: none"> • Compulsory drug & alcohol screening for all employees (as a first round of screening). Following this testing will then take place on suspicion, on accident/ incident and random testing (subject to final form of testing policy). <p>NB: The workers involved in the incident giving rise to this undertaking were not affected by drug, alcohol, or fatigue impairment.</p>	\$1,600.00	
<p>Commission external review of BBL's health and safety management systems and compliance against AS/NZS4801, and covering the following:</p> <ul style="list-style-type: none"> - Review of H&S company handbook and H&S handbook; - Review of task-based analysis; - Review of powertool guides; - Review of, and audit of compliance with, H&S policies and procedures; - Review of induction processes; - Consultation with Worker 4; - Measuring compliance with other provisions of this undertaking. 	\$2,250.00	<p>Primary review to be undertaken within two months of acceptance, with review of undertaking compliance ongoing till completion of undertaking.</p>

Total estimated cost of benefits for workers / others -
\$32,910.57

3.4 Activities to be undertaken to promote the objectives of the health and safety legislation that will deliver benefits for the wider industry or sector

ACTIVITIES (outline the activity and the expected outcomes)	COSTS(\$)	TIMEFRAMES
<p>Commission and develop best-practice safety guidelines for the supply and standing of timber framing for residential buildings ("guidelines") addressing matters such as:</p> <ul style="list-style-type: none"> - preparation of information regarding weight, dimensions, and centre of gravity; - means by which that information is communicated to builders; and - appropriate methodology for standing of frames of various shapes and sizes, addressing matters such as lifting methodology, personnel and equipment requirements, flooring and fixing methodology, and weather. <p>In preparation of the guidelines, actively consult and obtain the approval of:</p> <ul style="list-style-type: none"> - BCITO; - Site Safe NZ; - New Zealand Certified Builders; - Registered Master Builders Association; and 	\$19,000.00 (approx.)	Within 9 months of EU acceptance

<ul style="list-style-type: none"> - Frame & Truss Manufacturers Association. <p>In preparation of the guidelines, provide the opportunity for feedback and input from WorkSafe New Zealand.</p> <p>BCITO has agreed to take ownership of the completed guideline as a BCITO-published document.</p>		
<p>Arrange for dissemination of the guidelines (or, if appropriate, a summary with a link to the guidelines) with others in the industry as follows:</p> <ul style="list-style-type: none"> - Certified Builders: special bulletin to be circulated to all members and inclusion as a special feature in national Inhouse Magazine, together with a video discussing the guideline to be made available to members; and - Master Builders Association: special bulletin to be circulated to all members and/or inclusion in Building Today magazine. - Circulation to all Frame & Truss Manufacturers Association members. <p>These communications are directed at a raising of awareness in the residential building sector regarding the risks posed in standing of frames and approaches to managing them.</p>	\$500.00	Within 10 months of EU acceptance
<p>Arrange for publication of a summary of the incident and the guidelines in:</p> <ul style="list-style-type: none"> - New Zealand Construction News; and - BRANZ Build magazine. <p>These communications are directed at a raising of awareness in the residential building sector regarding the risks posed in standing of frames and approaches to managing them.</p>	\$5,070.00	Within 10 months of EU acceptance
<p>Subject to the approval of the final form of the guideline by the LBP Registrar, promote the guideline in the form of an LBP article in Codewords newsletter.</p>	TBC	Within 10 months of EU acceptance

Total estimated cost of benefits for industry -
\$24,570.00

3.5 Activities to be undertaken to promote the objectives of the health and safety legislation that will deliver benefits for community

ACTIVITIES (outline the activity and the expected outcomes)	COSTS(\$)	TIMEFRAMES
Donation to the Waikato Westpac Air Ambulance	\$12,500	Completed
Donation to the Middlemore Foundation (Auckland Spinal Rehabilitation Unit)	\$12,500	Completed
Cost of fundraising run (as at 1.11 above)	\$9,580.86	Completed

Total estimated cost of benefits for the community -
\$34,580.86

3.6 Where WorkSafe considers appropriate in the circumstances, undertaking a SafePlus Onsite Assessment

Further information about SafePlus can be found here: worksafe.govt.nz/about-us/who-we-are/our-priorities/safeplus/about-safeplus

3.6.1 The suitability of a SafePlus assessment will be determined by the Enforceable Undertakings Panel when your application is considered.

3.6.2 In addition to the total cost below (3.7) all costs of a SafePlus Online Assessment will be met by

the person making this undertaking. The fee charged for an Onsite Assessment is a commercial matter between your business and the SafePlus Accredited Assessors that you commission.

3.7 Minimum spend

3.7.1

Begovich Builders Limited

commits to a minimum spend of
\$209,861.43
for this undertaking.

3.7.2

Begovich Builders Limited

agrees to spend any residual amount arising from an original term not being completed or being less costly than estimated in this undertaking. Agreement on how to spend this residual amount will be sought from WorkSafe.

3.7.3

Begovich Builders Limited

Acknowledges the minimum spend comprises of the:

TOTAL COST	MINIMUM SPEND (\$)*
Financial amends paid to victims (if applicable)	\$107,500.00
Benefits to workers / others	\$32,910.57
Benefits to industry	\$24,570.00
Benefits to community	\$34,580.86
WorkSafe's recoverable costs (fixed)	\$10,300.00
Estimated cost of the undertaking	\$209,861.43

*** plus GST (if any)**

Section 4: Execution

This undertaking is given by the person on the date it is accepted by WorkSafe as set forth in section 5 below.

DIRECTOR OR AUTHORISED REPRESENTATIVE OF A COMPANY

Undertaking given by-

Shaun Begovich

In my own right and in my capacity as -

Managing Director

Of -

Begovich Builders Limited

On the -

of July 2018

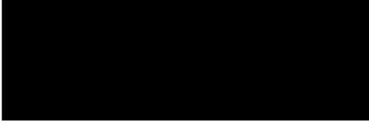


Section 5: Acceptance

This undertaking is accepted by WorkSafe

On the 22 day of August 18.

Signature of person accepting the undertaking:



Name of WorkSafe representative:

Simon Humphries
A/Deputy. _____
General Manager, WorkSafe (or delegate)

