

Application for an enforceable undertaking

June 2019

Part 4, Health and Safety at Work Act 2015

The commitments in this application are offered to WorkSafe New Zealand by

Name of entity or, partnership or individual applying for this undertaking

Steel & Tube Holdings Limited

Application for an enforceable undertaking

Part 4, Health and Safety at Work Act 2015

The commitments in this application are offered to WorkSafe New Zealand by

Name of the person or persons who will be signing this undertaking in section 4:

Mark Malpass

On behalf of:

Steel & Tube Holdings Limited

Name of the entity giving this undertaking (if an individual or sole trader, leave blank - complete in all other cases)

Steel & Tube Holdings 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 <i>Health and Safety at Work Act 2015</i> and/or any Regulations made under it. It includes both health and safety contraventions. A contravention also includes an alleged contravention.
HSMS	A 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).

1. General information

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

Name of person(s) making this undertaking: (in all cases complete with the name(s) of those who are signing this undertaking under Section 4)

Mark Malpass

Name of entity: (if applicable, leave blank if an individual)

Steel & Tube Holdings Limited (Steel & Tube)

Type of legal entity: (complete in all cases, for example individual, sole trader, partnership, trust, company, etc)

Registered Company (NZBN 9429040949390)

Nominated contact person: (the same person listed above/one of those listed above)

John Gordon

Physical address:

7 Bruce Roderick Drive, East Tamaki, Auckland 2013

Postal address: (if different from physical address)

PO Box 58880, Botany, Auckland 2163

Work phone:

[REDACTED]

Mobile phone:

[REDACTED]

Email: john.gordon@steelandtube.co.nz

Industry: Steel processing and distribution

Workers (enter numbers):

Full-time: 803 Part time: 15 Casual: 20

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

Steel & Tube sources products including steel and other metals from a network of preferred steel mills and distributes these products to customers through a national network of sites.

Steel & Tube also processes steel products including wire mesh, reinforcing bar, roofing and Comflor for sale (typically on a contract or project basis) and provides on-site installation services.

Comments:

1.2 Detail of the contravention

WorkSafe New Zealand (WorkSafe) alleges that Steel & Tube, as a Person Conducting a Business or Undertaking (PCBU), failed to ensure, so far as reasonably practicable, the health and safety of workers who worked for Steel & Tube (including the Injured Worker) while those workers were at work for Steel & Tube, namely working on the wire mesh welding machine GE1, and that failure exposed the workers to a risk of death or serious injury.

WorkSafe alleges that it was reasonably practicable for Steel & Tube to have:

- (a) Conducted an adequate risk assessment that identified which workers accessed the wire mesh welding machine GE1
- (b) Ensured workers who access the wire mesh welding machine GE1 were trained in the lock out / tag out process and provided with the necessary equipment to follow the process
- (c) Monitored, enforced compliance with, and reviewed the ongoing effectiveness of the lock out / tag out process

1.3 Detail the events surrounding the contravention

The Injured Worker was engaged by Steel & Tube through a labour hire consultancy in February 2022. The Injured Worker was assigned to assist two colleagues with the operation of the GE1 welding machine on the evening shift at Steel & Tube's reinforcing plant at Savill Drive, Otahuhu, Auckland ("Site"). The GE1 machine welds wire into sheets of reinforcing mesh. This mesh is used in reinforced concrete structures, including building foundations.

The Injured Worker's two colleagues were the lead machine operator and second operator respectively. The Injured Worker's role was to manage the finished product as it came out of the machine. This involved tagging bundles of mesh and moving these bundles using a forklift to their storage location.

On Tuesday 3 May 2022 the Injured Worker and his two colleagues were the crew working on the GE1 welding machine. At around 7.15 pm that evening the machine stopped working. The leading machine operator was absent from his station at the machine at that time. The second operator requested the assistance of the Injured Worker to help investigate the problem. The machine was surrounded by a security fence. Access through the fence was via a gate which was fitted with an interlock switch. The second operator and the Injured Worker entered the interlocked gate of the GE1 machine to diagnose the fault with the machine and attempted to trouble shoot a solution. Opening the interlock gate disabled the machine so that it could not operate until the gate was closed and latched from the outside of the security fence and a machine operator completed a three-step restart sequence on the machine's control panel.

The second machine operator and the Injured Worker carried out some fault finding and minor repairs inside the caged area of the GE1 machine. The second machine operator then left the caged area and closed and latched the interlock gate behind him. The Injured Worker remained inside the caged area of the machine.

At that point the machine restarted. The conveyors of the machine moved, striking the Injured Worker in the chest and legs and knocking the Injured Worker to the ground. The Injured Worker received serious impact injuries.

It is not clear how or why the machine restarted. The second machine operator has stated that he did not complete the sequence of entries at the control panel to restart the machine, and that the machine restarted automatically as he left the machine cage without any further human intervention. Evidence from the electronic records of the machine does not support this and indicates that the machine restart sequence had been activated at the control panel of the machine at the time of the accident. The Injured Worker observed the second machine operator restarting the machine.

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
30 / 06 / 22 ^{AR}	Improvement Notice		SEE APPENDIX A	
05 / 05 / 22 ^{AR}	Non-disturbance Notice		SEE APPENDIX A	

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)

Immediately following the Contravention Steel & Tube considered the risk that a second person could override the safety system inherent in the interlock gates on the GE1 machine and start the machine while someone else was inside the caged area. This scenario is now referred to within the company as "two-person interlock override" risk.

A change was promptly made to enhance the controls enforced within the Reinforcing business division to mitigate the chance of two-person interlock override reoccurring. From 13 May 2022 onwards a directive was issued to clarify and reiterate an existing administrative control that no worker is permitted to enter the caged area of a mesh welding machine without applying a padlock to hold the interlock gate in the "open" position. The worker then retains the key while they are inside the machine thereby preventing anyone else from closing the interlock gate and starting the machine while they remain inside the machine's caged area. Workers at the Site have been issued with dedicated padlocks to be able to apply this administrative control.

Every machine operated by Steel & Tube nationwide has its own work instruction detailing the safe operation of the machine. A copy of the work instruction is displayed on or in the vicinity of the machine. The work instruction for the GE1 mesh welding machine that was in place prior to the Contravention did include a reference to this administrative control. Nevertheless Steel & Tube refreshed and reissued all of the work instructions across the Site to clearly identify the mitigants for two-person interlock override risk.

All workers at the Site have been trained on compliance with the refreshed work instructions. The new National Training and Compliance Manager monitored and reported on the successful completion of this training.

Steel & Tube has identified that two-person interlock override risk exists on several of its other manufacturing and processing machines across the wider company. Similar administrative controls have been extended to all the company's operations to mitigate this risk.

CONTINUED IN APPENDIX A.

1.6 Total amount of money spent on rectifications

The estimated costs of the rectifications undertaken by Steel & Tube following the Contravention (to the extent those costs are capable of quantification) is \$1,005,706. This is broken down in the table in Appendix A and does not include allowance for considerable internal staff and management time and resources devoted to implementing these rectifications.

CONTINUED IN APPENDIX A.

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

The Injured Worker received a concussion and fractured ribs but has fortunately made a successful recovery and returned to work. Steel & Tube has continued to support the Injured Worker throughout his recovery from this 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: (eg employee(s)/shareholder/director/family member/contractor, etc. If the relationship has more than one dimension, for example a family member who is also an employee and a director and/or shareholder of the business, or an employee who is a shareholder (etc) - then please describe this)

At the time of the Contravention the Injured Worker was an employee of North and South Recruitment, working on a contract basis at Steel & Tube reinforcing. The Injured Worker is now a full-time employee of Steel & Tube.

Detail offer of amends or payments:

In addition to the support and assistance detailed in section 1.11 below, Steel & Tube is proposing to provide further support to the Injured Worker as part of its obligations under the Enforceable Undertaking. In particular, Steel & Tube and the Injured Worker have agreed (following the consultation undertaken pursuant to 1.9 below) that Steel & Tube will make a payment of \$35,000 to the Injured Worker within two months of the acceptance of this Enforceable Undertaking.

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

Steel & Tube has consulted with the Injured Worker to discuss this enforceable undertaking and his level of involvement in the process. At a meeting on 9 November 2023 the concept of an enforceable undertaking was presented and explained to the Injured Worker with assistance from a Samoan - English interpreter. The Injured Worker indicated that he would like to support the company. The Injured Worker was given an opportunity to reflect on the information he had been provided concerning the enforceable undertaking and discuss it with whanau members.

CONTINUED IN APPENDIX A.

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

Steel & Tube took a leading role in establishing the Steel Construction New Zealand (SCNZ) health and safety forum and senior representatives of the company actively participate in the proceedings of the forum. The forum was set-up to allow the opportunity for steel distributors (and others) to discuss possibilities to improve health and safety skills and capability across the forum membership. Members of the forum are Alrite Steel, Fletcher Easysteel, United Steel, Vulcan Steel, RC McDonald, HJ Asmuss & Co and Steel & Tube. Steel & Tube intends to share all elements of its enforceable undertaking with SCNZ and industry participants.

CONTINUED IN APPENDIX A.

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

DATE	DESCRIPTION OF SUPPORT	COMMENTS
DD / MM / YEAR		
DD / MM / YEAR	SEE APPENDIX A.	
DD / MM / YEAR		
DD / MM / YEAR		
DD / MM / YEAR		
DD / MM / YEAR		
DD / MM / YEAR		
DD / MM / YEAR		
DD / MM / YEAR		
DD / MM / YEAR		
DD / MM / YEAR		
DD / MM / YEAR		
DD / MM / YEAR		

1.12 Detail any current HSMS implemented and maintained by the person

Describe how health and safety risks are managed, including types of procedures or policies or standards:

Steel & Tube operates under a comprehensive Integrated Management System (IMS) that is certified to international standards in quality – ISO 9001, environmental – ISO 14001, and occupational, health and safety – ISO 45001 (together referred to as 'Triple Certification'). This demonstrates Steel & Tube's commitment to quality management, environmental responsibility, and occupational health and safety. Governance oversight of quality, environmental, occupational health and safety management systems and associated training is provided through a single Board committee. This allows for a more robust approach to risk management. Identifying and addressing risks across these areas helps prevent incidents and disruption to operations.

CONTINUED IN APPENDIX A.

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

The health & safety management system at Steel & Tube is extensively audited on a scheduled and ad hoc basis at various levels within the company and via third parties. As Steel & Tube holds certification for ISO 45001, Steel & Tube is audited on an annual basis by Telarc.

Steel & Tube have trained internal auditors who perform internal audits on a regular basis (no less frequently than annually) and as required. The results of these audits are shared with the relevant management and any non-conformances are tracked until resolution to ensure full compliance to the system.

Each month, Steel & Tube release a compliance schedule for all locations for location managers to self-audit and provide evidence against set criteria. This self-audit process is then assessed by the internal auditors. Results of these monthly audits are provided to the senior leadership team and discussed in the senior leadership monthly meeting to see where compliance is thriving and where it may need more focus.

Steel & Tube employs several QHSET advisors (Quality, Health, Safety, Environment and Training). As part of this role the advisors make impromptu location visits and will raise a non-conformance for any part of the health & safety management system that is not being adhered to.

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

As mentioned in paragraphs 1.9 and 1.10, Steel & Tube has consulted with the Injured Worker and industry experts in relation to this undertaking.

Steel & Tube has established a project governance group of senior executives and a project execution team of operational leaders to develop the content of this enforceable undertaking. In addition, Steel & Tube held a number of workshops with operational management across all parts of the wider business to discuss the circumstances of the Contravention and to review the risk of two-person interlock override in a variety of different contexts and with different machinery.

Steel & Tube has also consulted with its workers, through its internal health and safety committee for the Savill Drive site. The committee unanimously supports this application for an enforceable undertaking.

Steel & Tube is planning additional consultation with workers as it performs the activities contemplated in this enforceable undertaking. Details of what is proposed are set out in paragraph 3.2.

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

Steel & Tube acknowledges that WorkSafe alleges that Steel & Tube has contravened sections 36(1)(a), 48(1) and (2)(c) of the Health and Safety at Work Act 2015.

2.2 Statement of regret that the contravention occurred

Steel & Tube sincerely regrets the incident that occurred on 3 May 2022 and the harm that was caused to the Injured Worker as a result.

Steel & Tube has engaged with the Injured Worker and apologised directly to him for what occurred.

Steel & Tube made changes to its practices after the incident and is committed to ongoing reflection, testing, and verification of its work practices in the hope that no similar event occurs in the future. This enforceable undertaking is intended as a tangible demonstration of that commitment.

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

Steel & Tube considers that an enforceable undertaking is a more appropriate response to the Contravention than a prosecution in the District Court. The enforceable undertaking will ensure that scarce resources are applied to improve health and safety outcomes for the Injured Worker, the company, its workers and the wider community rather than on a litigation process with all the time and cost involved. Steel & Tube understands the reasonable steps that it needed to take to improve health & safety outcomes following the Contravention and these activities have already been implemented. There is little in the way of benefit or insight that could be delivered by a closer examination of the circumstances of the Contravention by the Court or a ruling on the factual matters that remain uncertain.

In particular, the execution of this enforceable undertaking and the performance of the activities that it contemplates will:

- (a) Provide Steel & Tube with an opportunity to invest in and use modern technology to enhance its safety systems, its staff training, qualifications and supervision of workers and work tasks;
- (b) Allow Steel & Tube to explore alternatives to administrative controls as a means to eliminating or minimising the risk of two-person interlock override;
- (c) Ensure that greater understanding is gathered on the risks associated with operating an evening or night shift and employing vulnerable workers in manufacturing plants;
- (d) Ensure that the learnings from these activities are shared with the wider industry and, where appropriate, that the intellectual property generated from these activities (such as feasibility studies, training videos, evidence reviews, initiative outcome reports and other documents) are made freely available to those who may benefit;
- (e) Continue to support the Injured Worker and the Injured Worker's community.

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

Steel & Tube confirms that the behaviour and activities and other circumstances which contributed to the Contravention have ceased. Steel & Tube commits to undertaking the activities described in its response to WorkSafe's improvement notice dated 30 June 2022, and the activities included within this enforceable undertaking, so that, as far as is reasonably practicable, those behaviours, activities and circumstances will not reoccur.

Activities undertaken since the Contravention, particularly the introduction of a National Training and Compliance Advisor role and the introduction of night shift supervision managers have provided additional resilience within the business to navigate external shocks (such as the Covid pandemic, boarder closure and associated labour shortages) which contributed to the Contravention.

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

(write the name of the person(s) or entity giving the undertaking)

Steel & Tube Holdings Limited

has read and understood the Enforcement Undertaking Operational Policy.

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

(write the name of the person(s) or entity giving the undertaking)

Steel & Tube Holdings 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

(write the name of the person(s) or entity giving the undertaking)

Steel & Tube Holdings Limited

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

(type of evidence provided)

Publicly available financial information about the financial strength of the company, which is listed on the NZX with this undertaking to support this declaration.

In the event of impending receivership, liquidation or sale of the entity, (write the name of the person(s) or entity giving the undertaking)

Steel & Tube Holdings 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

The staff and contractors of Steel & Tube, including the Injured Worker, are proposed beneficiaries of this enforceable undertaking.

Steel & Tube has previously used the services of the Learning Wave to deliver a pilot workforce literacy programme. It has no other connection with Steel & Tube.

Steel & Tube has an existing relationship with Papakura High School and offers work experience opportunities to pupils from the school.

2.9 Statement regarding Intellectual Property

(write the name of the person(s) or entity giving the undertaking)

Steel & Tube Holdings 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

(write the name of the person(s) or entity giving the undertaking)

Steel & Tube Holdings 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.

(write the name of the person(s) or entity giving the undertaking)

Steel & Tube Holdings Limited

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

Detail the management strategies to be employed that will satisfy and demonstrate to officer/s of the person that this commitment is being met:

Steel & Tube recognises that its operations involve risk. Working with steel is dangerous as the product is inherently unforgiving. Steel & Tube is and remains committed to the health and safety of all of its employees, contractors and the wider public impacted by its business operations. To this end Steel & Tube has systems and processes in place to deliver on this commitment. These systems and processes are well resourced and are subject to internal and external oversight and review. Details of Steel & Tube's health and safety management system and the external audit assurance obtained for this system are set out in paragraphs 1.12 and 1.13.

Steel & Tube has set up and resourced a project execution team and a project governance team to ensure that the promises made in this enforceable undertaking application are delivered. The project execution team will meet every fortnight during the first 12 months of the delivery phase and reduce meeting frequency to monthly after that time if progress allows. The project governance team will meet every month and will involve the CEO of the company along with the General Manager of Quality Health and Safety and Environment, the General Manager of People and Culture and the Chief Digital Officer. A consultant from First Step Solutions will also participate in project governance to offer a fresh independent perspective and ensure that rigorous standards of project execution are maintained. Progress with delivery of the actions contemplated in this enforceable undertaking will be reported to the Quality, Health Safety and Environment Committee (a committee of the Steel & Tube board of directors) three times per year. Updates will also be provided to the full Steel & Tube board at all scheduled meetings (8 times per year) until this enforceable undertaking is completed.

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

(this may include to work health and safety representatives and in the organisation's annual report, if applicable)

Dissemination will be achieved by doing the following:

Steel & Tube is committed to disseminating information about this enforceable undertaking, and the progress the company makes with delivering on the promises within it, to its workers and other relevant parties.

Steel & Tube will deliver on this commitment by:

- (a) Promptly making an announcement in the Today Notice (a regular update from the CEO to all staff) that this enforceable undertaking has been issued and then again once the activities outlined in the undertaking have been completed;
- (b) Post a copy of the enforceable undertaking on the company's intranet;
- (c) Giving a presentation to all of the company's health & safety committees nationwide about the Contravention, the lessons learned and improvements made, together with a description of the enforceable undertaking and progress with delivering the initiatives that it contains;
- (d) Provide a copy of the accepted EU to the Injured Worker;
- (e) Communicate the detail of the enforceable undertaking to the SCNZ health & safety forum; and
- (f) Make a presentation to the SCNZ health & safety forum on the delivery of the initiatives outlined in this enforceable undertaking and the lessons learned.

Dissemination of information about the EU will be undertaken via the above activities within 18 months from the date of the accepted EU.

Dissemination will occur by: 28 / 11 / 2025

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	COST (\$)	TIMEFRAME
Outline the activity and the expected outcomes		
3.3.1 AI / CCTV Safety Improvement Initiative - Pilot Phase	\$144,400	18 months
3.3.2 Feasibility of AI safety lock for GE1 mesh machine	\$63,300	18 months
3.3.3 Improved health & safety induction training for new employee	\$49,250	18 months

For further information on these activities see Appendix A section 3.3.

Total estimated cost of benefits for workers/others

\$ 256,950

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	COST (\$)	TIMEFRAME
3.4.1 Facilitated workshops - labour hire worker safety in the manufacturing sector	\$36,200	18 months
3.4.2 Health safety and wellbeing innovation project for vulnerable workers	\$80,000	18 months
3.4.3 Nightshift supervision training and micro credential	\$41,000	18 months

For further information on these activities see Appendix A section 3.4

Total estimated cost of benefits for industry

\$ 157,200

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

ACTIVITIES	COST (\$)	TIMEFRAME
3.5.1 Support for Papakura High Schools to enhance their careers and work experience	\$15,000	2 months
3.5.2 Support Rising Foundation to run youth programmes in South Auckland	\$15,000	2 months

For further information on this support see Appendix A section 3.5

Total estimated cost of benefits for the community

\$ 30,000

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 Onsite 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

(write the name of the person(s) or entity giving the undertaking)

3.7.1 **Steel & Tube Holdings Limited**

commits to a minimum spend of \$ 479,150 for this undertaking.

(write the name of the person(s) or entity giving the undertaking)

3.7.2 **Steel & Tube Holdings 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

(write the name of the person(s) or entity giving the undertaking)

3.7.3 **Steel & Tube Holdings Limited**

Acknowledges the minimum spend comprises of the:

TOTAL COST	MINIMUM SPEND
Financial amends paid to victims (if applicable)	\$35,000
Benefits to workers/others	\$256,950
Benefits to industry	\$157,200
Benefits to community	\$30,000
Estimated cost of the undertaking Plus GST (if any)	\$ 479,150

4. Execution

Authorised representative of an organisation

Undertaking given by (name of authorised representative)

Mark Malpass

In my own right and in my capacity as (eg President, Chairperson, etc)

Chief Executive Officer

of (eg organisation name) Steel & Tube Holdings Limited

On the (day) 7 day of (month) June, 2024 (year).

Signature of the person giving the undertaking:




Undertaking given before me:

Witness name:



Witness address:

Auckland



5. Acceptance

This undertaking is accepted by WorkSafe.

On the (day) day of (month) June, 2024 (year).

Signature of person accepting the undertaking:



Name of WorkSafe representative: (General Manager, WorkSafe (or delegate))

Tracey Conlon

Undertaking given before me:

Witness name:

Witness address:

Witness signature:



APPENDIX A — ADDITIONAL INFORMATION FOR ENFORCEABLE UNDERTAKING APPLICATION

Additional information in respect of relevant sections of Steel & Tube's enforceable undertaking application is set out below.

1. GENERAL INFORMATION				
1.4 Detail any enforcement notices issued that relate to the contravention as detailed in term 1.2				
DATE	NOTICE TYPE	NOTICE NO.	CONTRAVENTION OR PROHIBITED ACTIVITY	ACTION TAKEN IN RESPONSE TO NOTICE
5 May 2022	Non-disturbance Notice	N/A	Preserve GE1 machine and immediate area around it following injury to worker	Notice removed by WorkSafe on 12 May 2022.
30 June 2022	Improvement Notice	N/A	Lock out tag out procedure is not being adhered to every time the workers enter into the fenced area of the GE1 machine. The machine specific isolation points to ensure effective lockout have not been identified, or are not being utilized, and entry to the restricted areas is not controlled effectively. The improvement notice identified a series of 5 prevention or remedial measures recommended by WorkSafe at that time.	Representatives of Steel & Tube presented an action plan of rectifications to WorkSafe on 30 August 2022 to address WorkSafe's recommendations. All the rectifications identified in that action plan have now been completed. These rectifications are described in more detail in section 1.5 below.
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)				
<p>As a result of an improvement notice issued by WorkSafe on 30 June 2022, Steel & Tube put together an action plan of further steps that it was taking prevent the Contravention from reoccurring and to address the work practices that WorkSafe considered needed to be improved. This action plan was presented to WorkSafe on 30 August 2022 and is summarised as follows:</p> <ul style="list-style-type: none"> (a) Engaged an expert third party consultant to review the GE1 and assess the machine and its safety systems (including the lock out procedure) to identify areas for improvement. A report was produced by the consultant which included various recommendations that have been implemented by Steel & Tube. These have resulted in improvements to Steel & Tube's Work Instruction for the operation of GE1. (b) A similar expert review was conducted for the GE2 machine. The GE2 machine is similar to the GE1 and operates alongside it at the Site. The recommendations from this review have also been implemented. (c) A number of the machines operating at the Site were modified to allow padlocks to be applied to secure the machines from unexpected startups. (d) All workers at the Site have been trained in the specific lock out/tag out procedures for the machines that they operate, with a focus on all safety points. Detailed written records of this training were prepared and have been retained. (e) Steel & Tube has strengthened its lock out/tag out procedures. The central energy isolation point for each machine was identified, recorded and relabelled where necessary. The location and presentation of lock out / tag out boards was modernised across Steel & Tube's network of sites and dedicated padlocks and tags were checked and replenished where necessary. (f) Improvements have been made to supervision and monitoring procedures for each of the day and night shifts. A night-time supervisor position has been added to oversee machine breakdowns and strengthen the maintenance capability of the plant. (g) Improvements have been made to the Demonstrate Knowledge Of (DKO) process, including practical assessment of the task being performed, with discussion of hazards and controls. (h) Monitoring activities have been strengthened. A "Safety Conversations" programme has been implemented across the company, focused on hazards and the application of appropriate resources and process to eliminate or minimise risks. Safety conversations take place at least monthly and involve check-ins with operators by people not regularly involved in the work. 				

- (i) The Health and Safety Committee reviews lock out/tag out procedures as part of the Hazard Register reviews completed by them. The Board and leadership team have also decided to undertake annual critical risk reviews.

All the actions in the action plan have been successfully completed.

Steel & Tube introduced the following additional improvements in the aftermath of the Contravention:

- (a) LED lighting to all the company's sites. One of the intended benefits of this initiative was to improve site lighting and visibility at our premises for and of people working in the hours of darkness. The accident on 3 May 2022 occurred in the evening approximately 2 hours after sunset. Worker feedback on the impact of this initiative has been extremely positive. The LED lights have also reduced the company's energy consumption and carbon footprint.
- (b) A project to significantly increase the scope of CCTV camera coverage at several of the company's key sites was commenced in June 2022. Steel & Tube had some CCTV before the Contravention, however the coverage of the network and its utility was limited. For example, the events of 3 May 2022 were not captured by the network of cameras operating at that time. Steel & Tube has now expanded and enhanced this network with the installation of new cameras and monitoring software. This expanded network serves a number of commercial and management purposes, including as a tool for investigating health and safety near miss incidents and following up on worker feedback to better identify and understand opportunities for improvement. In this regard the expanded network has been invaluable. The storage and use of the information captured by the camera network is governed by a Technology and Information Systems policy updated by the board of directors of Steel & Tube on 1 December 2022. This policy describes the permitted purposes for access and use consistent with information privacy principles and identifies the members of staff that are authorised to access CCTV footage.
- (c) A new position was created within the wider Quality Health Safety and Environment team of National Training and Compliance Advisor, to provide oversight of the company's staff training programme, and give assurance that meaningful training is completed, and accurate records of participation are maintained. The company's training programme was significantly disrupted in the months leading up to the Contravention due to the impact of Covid lock downs and other restrictions. This new position helps to provide a greater level of resilience and flexibility in this area.

1.6 Total amount of money spent on rectifications

Rectification	Cost (excl GST, if any)
Actions outlined in the action plan presented to WorkSafe of 30 August 2022 (paragraphs (a) – (i) above)	\$56,076
Installation of LED Lighting	\$327,036
Enhanced network of CCTV cameras	\$547,973 plus ongoing licence costs
Introduction of a new National Training and Compliance Manager role	\$74,621 per annum
Total	\$1,005,706

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

A further meeting with the Injured Worker was held on 12 December 2023. [REDACTED] The Injured Worker was provided with a written description of the enforceable undertaking application [REDACTED] The Injured Worker again expressed his desire to support the company's application for an enforceable undertaking.

A final consultation meeting with the Injured Worker occurred on 12 March 2024 at which time the Injured Worker [REDACTED] provided a final endorsement for the company's application for an enforceable undertaking.

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

Steel & Tube has consulted with the Site's health and safety committee and other key stakeholders within the company to ensure that the voice of the worker has been properly considered in the decision to submit this application. The Contravention has galvanised the workforce at the Site and there is a motivation to make improvements to ensure that the workers remain healthy and safe.

In February 2024 representatives from Steel & Tube visited six reinforcing manufacturers in Australia to review and compare operational practices and safety protocols and to seek input on the proposed initiatives that Steel & Tube was considering as part of this application for an Enforceable Undertaking.

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

Steel & Tube has apologised to the Injured Worker for the Contravention and the impact it had on him. Steel & Tube provided the Injured Worker with financial support during his initial recovery and, upon returning to work, Steel & Tube agreed to make the Injured Worker a permanent employee of the company. Steel & Tube has facilitated time off from work to enable the Injured Worker to attend medical appointments as part of his recovery.

The financial value of assistance provided by Steel & Tube to date is:

Item	Cost
[REDACTED]	[REDACTED]
Total	\$5,063.70

1.12 Detail any current HSMS implemented and maintained by the person

Steel & Tube is focused on an approach consistent with the hierarchy of controls and continuously improving our systems. To complement these Steel & Tube has also implemented the following training and people focused solutions to support those systems:

- Safety Conversations Program:** The concept of a "safety conversation" is a conversation using open questions between a worker and a member of management (including directors and members of the company's executive) with a focus on aspects of health and safety at work. The Safety Conversation Program is a structured initiative aimed at promoting and enhancing safety within Steel & Tube and providing an opportunity for the voice of the worker to inform management understanding. It involves open and transparent dialogues focused on identifying potential risks, implementing preventive measures, and fostering a culture of safety awareness. The program emphasises communication, collaboration, and continuous improvement,

encouraging participants to share insights, report concerns, and collectively work towards creating a secure and healthy environment. Regular discussions, training sessions, and the implementation of safety protocols are key components of this program to ensure sustained safety practices and a proactive approach to risk management. Involvement in the program involves Board, executive and line management participation.

• **Toolbox Talks:** Toolbox talks are aligned with ISO 45001, the international standard for occupational health and safety management systems. They enhance workplace safety by promoting a systematic approach to hazard identification, risk assessment, and continuous improvement. By integrating ISO 45001 principles into toolbox talks, we foster a safety culture, and systematically address occupational health and safety risks, ultimately reducing accidents and injuries in the workplace.

• **Monthly Hook Ups:** A platform for collaborative dialogue between employees and management, the forum facilitates discussions on safety-related subjects, updates sharing, incident reviews, and the consideration of concerns or opportunities for improvement. This strategic forum elevates engagement, fosters robust communication, champions a culture of unwavering commitment to safety, and guarantees organisational alignment regarding safety protocols and procedures. Its comprehensive agenda encompasses discussions on recent safety incidents, updates to safety policies, initiatives for training, and deliberations on the ongoing enhancement of safety practices in the workplace. Attendees at the "Monthly Hook Ups" typically include:

- (a) Employees from all levels of the organisation. This ensures representation from various departments and levels within the company, fostering inclusivity and diverse perspectives.
- (b) Management and leadership team members. Managers and executives who have decision-making authority and can provide guidance on safety-related matters and receive direct and indirect feedback from workers on the effectiveness of the platform.
- (c) QHSE Advisors and Health & Safety representatives: Individuals responsible for ensuring that the programme is deployed and is as effective as it can be.
- (d) People & Culture Business Partners and representatives: Provide insight into employee concerns, facilitate discussions on training initiatives, and ensure alignment with organisational policies.

Members of the Board's Quality Health and Safety Committee do attend hook ups occasionally to better understand the company's health and safety management system in action.

Follow-up actions from the "Monthly Hook Ups" include:

- (a) Action Item Assignments: Specific tasks or action items are assigned to individuals or teams based on the discussions and decisions made during the hook up meeting. These tasks are documented, with clear deadlines and responsibilities.
- (b) Monitoring and Evaluation: The company regularly monitors progress on action items and initiatives discussed during the "Monthly Hook Ups." Evaluating the effectiveness of implemented measures and making adjustments as necessary to continuously improve safety practices.
- (c) Feedback and Continuous Improvement: Encourage feedback from participants to identify areas for improvement in future meetings. This feedback is used to refine the agenda, format, or content of the "Monthly Hook Ups" to better meet the needs of the organisation.

• **Stop and Take 2:** Stop and Take Two Behavioural Based Safety process means that a person can work more safely by taking two minutes to think through a job before undertaking any task. It encourages individuals to pause, assess their surroundings, and take two minutes before proceeding. This is often used as a precautionary measure to avoid accidents or mistakes. The idea behind "stop and take 2" is to create a moment of mindfulness and promote safe behaviour. This could involve stopping any potentially hazardous activity, reassessing the situation, and then taking two minutes to ensure safety of yourself and others. Application of the Stop and Take 2 process is not formally documented however employees are encouraged to report any "Stop and Take 2" observations or insights through the Intelix mobile app. The company's management regularly analyse the data collected to identify trends, areas for improvement, and opportunities for preventative measures.

• **Machinery Guarding:** Steel & Tube has invested more than \$1.5 million to improve guarding across the business, focussing initially on high and medium risk guarding. This guarding has been certified to Australian and New Zealand Standard AS/NZS4024. Compliance with AS/NZS 4024 confirms adherence to the Australian and New Zealand Safety of Machinery Standard, ensuring machinery meets safety criteria, follows established principles, and includes necessary safeguards. This reduces the risk of accidents, injuries, and occupational health issues, promoting a safer working environment aligned with industry standards in Australia and New Zealand.

• **Signage and site marking:** Signage and painted floor and yard markings are an important part of Steel & Tube's on-site health and safety management system. They provide a visual reminder to workers and other

site users of some of the risks and mitigants in place to reduce line of fire risk to people involved with loading / unloading or present in the vicinity of moving vehicles. The company is constantly reviewing the quality and effectiveness of the signage and painted markings. These are refreshed and updated from time to time as part of a regular programme of asset maintenance and renewal.

• **Induction Process:** A thorough Induction training process on how to work safely and effectively is given to each person when they are required to work in a new or unfamiliar work area. Employees are not allowed to work unsupervised with machinery unless they have reached a level of competency satisfactory to the company.

• **Demonstrated Knowledge Of (DKO):** In relation to the machines, the training process is hazard focused with a particular focus on ensuring safe operation of the machines. The trainee will be shown the machine (both in and out of operation) and their supervisor will explain and demonstrate the safe operation of the machine as well as identifying all hazards. The trainee will then need to identify the hazards themselves and explain the safe operating process for the machine. They must then demonstrate the safe operation of the machine – again identifying the hazards. Following this, the supervisor will record a DKO and mark the trainee as requiring supervision, or as competent to operate the machine unsupervised. If applicable, the supervisor will provide supervision to the trainee until the supervisor considers the trainee is ready to be reassessed for competency to operate the machine without direct supervision.

• **Critical Risk Bowtie Methodology:** We have determined the six critical risks on our sites (known as our Killers and Life Savers) and analysed them using the Bowtie methodology. This method gives us a better understanding of how these hazards can occur, what the possible outcomes would be, what our prevention controls are to try and stop them, and what recovery controls we have in place to mitigate the consequences if they do happen. The Critical Risks have been formatted using pictorial form to allow employees to identify them with tasks they perform. The Critical Risks are included in literature, notice boards, safety signs and information disseminated to employees (including in their training).

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

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	Cost (\$)	Timeframe
Outline the activity and expected outcomes		

CONTEXT

The intent of the first two proposed activities (3.3.1 and 3.3.2) is to adopt artificial intelligence technology (AI) to further build on top of the continuous improvement framework we have already in place and to explore how AI can improve health and safety.

The framework will look at using AI to:

- Observe behaviours and learn from those observations (cf. **3.3.1 AI / CCTV Safety Improvement Initiative**)
- Improve automated controls (cf. **3.3.2 Feasibility of AI Safety Lock for GE1 Mesh Machine**)

The learning and insights gained from observations will allow better focused and more effective management conversations and training. It will also enable the identification of opportunities for improvements in the company's standard operating procedures.

The framework Observe/Learn - Educate/Improve/Automate will enable a feedback loop suitable for sustainable continuous improvement.

NOVELTY AND RESEARCH OPPORTUNITIES

3.3.1 AI / CCTV Safety Improvement Initiative: While there are solutions available for the AI enabled behavioural analysis for health and safety risk management, those are emerging solutions that still need to be proven. Any AI model and related solution/tool to be effective needs to be further trained and tuned. We will learn about the effectiveness of the existing reusable model, identify false positives and to a certain extent

false negatives and feed that to the AI solutions (and underlying model) to allow for the solution to better perform.

3.3.2 Feasibility of AI Safety Lock for GE1 Mesh Machine: We will learn about the effectiveness of Vision AI and AI health and safety risk detection models to automate safety controls. We will learn about event detection accuracy and latency and how to apply Vision AI and AI event detection to prevent a machine from being restarted in presence of a safety hazard – in this case when a human was still present in the enclosed danger area.

3.3.1 AI / CCTV Safety Improvement Initiative

Background: In response to the Contravention Steel & Tube has begun to roll out a network of CCTV cameras to its sites nationwide. This initiative is explained in more detail in section 1.5 of this application. These cameras play an important role in the investigation of safety incidents and near miss events but are currently not used to proactively enhance health and safety outcomes before an accident has occurred or a near miss has been observed.

Purpose: To use AI technology alongside the Company's existing CCTV camera network to better understand and improve the safety of the work performed at our sites as contrasted to the work as currently imagined.

Scope: Steel & Tube has conducted a rigorous procurement process involving local and international service providers. As a result of this process the preferred supplier of a software solution as a basis for this initiative is Protex AI at a cost of \$60,000. Once the arrangements have been concluded with the preferred supplier, Steel & Tube will deploy the Protex AI software at its Savill Drive site and will monitor the use and benefits of this system over a trial period (not exceeding 12 months). To achieve this the company will assemble a specialist implementation project team at an estimated cost of \$84,400.

The underlying premise of the trial will be for the software to analyse footage from the CCTV cameras and identify situations or events which could indicate a risk to the health and safety of workers or other users of the site. These situations or events could include the movement of vehicles in the vicinity of people or entry by people into the guarded areas around machinery. The system will capture extracts of the CCTV footage which can then be viewed by the site management, health and safety advisors, and the workers themselves. Feedback can be provided on each "event" to inform the AI technology for future observation. This tool then enables management to review the video recording of each event or situation to determine if there is an opportunity for improvement. The tool will be used to enable continuous improvement in the way the site is organised, work tasks are carried out and risks are managed. Steel & Tube management will work closely with the workforce and their representatives to ensure that everyone understands the technology and that the outputs are used to inform improvements in the way the site is operated to enhance the health and safety of the workers.

Delivery: Delivery of this initiative will involve the following steps:

- Establish a project team to oversee the deployment of the software and run the trial.
- Develop a draft procedure for the use of the AI tool that expands on the details set out in the scope above. The procedure will be compliant with the company's existing policies including the Privacy Policy.
- Consult with staff and management at the Site on the draft procedure.
- Finalise the procedure based on feedback from the consultation exercise.
- Develop a detailed implementation plan including details of the roll out communications, ongoing worker engagement opportunities and monthly reporting.
- Deploy the software and execute the implementation plan.
- The project team will present a report to the senior management of the company evaluating the trial and making a recommendation of the deployment of this technology elsewhere within the company's operational sites.
- Representatives of the project team will present details of the outcome of the trial to the health & safety forum of SCNZ.

Outcome: The successful completion of the trial in accordance with the implementation plan and an informed decision on the adoption of this AI technology across the company's network of sites.

It is estimated that this activity will require a significant commitment of internal time and resources to achieve the desired outcome. Internal labour costs have not been included when quantifying the expenditure associated with this activity.

3.3.2 Feasibility of AI Safety Lock for GE1 Mesh Machine

Background: Following the Contravention Steel & Tube introduced an administrative control for operators of the GE1 mesh welding machine to prevent two-person interlock override. This requires each worker entering the caged area of the machine to attach a padlock to the interlock gate to prevent it from closing. The worker then retains the key to the padlock while they remain inside the caged area thereby preventing the interlock gate from being closed by another person and the machine restarted. In the health & safety management hierarchy of controls model adopted by Steel & Tube, effective engineered controls are superior to administrative controls. There are currently no engineered controls readily available in the market that could be easily and effectively deployed as an alternative control to manage two-person interlock override risk.

Purpose: Explore the development of an engineered control to minimise two-person interlock override risk for operators of the GE1 mesh welding machine.

Scope: Engage Protex AI and the project implementation team at an estimated cost of \$63,300 to explore the use of AI camera technology to accurately detect the presence of a person inside the caged area of the GE1 mesh welding machine.

Delivery: The delivery of this initiative will involve the following steps:

- A project team will be convened to execute this initiative.
- CCTV cameras with specialist technology will monitor the presence of people in the caged area of the GE1 machine. This may require the installation of additional cameras over and above those currently operating at the Site.
- Data will be gathered from the cameras over a three to six month period.
- This data will be reviewed and compared to other information sources to test the reliability of the cameras in detecting the presence of people inside the caged area of the machine.
- Based on the findings from the first phase of data gathering a series of practical scenario tests will be developed and undertaken to validate the accuracy of the data from the cameras.
- Further hypotheses will be developed identifying possible scenarios in which the cameras may not accurately perform their intended function. Inaccuracy may arise either through a false positive response (detecting presence when no person is inside the caged area) or a false negative response (when a person is present but undetected). Environmental factors affecting the accuracy of the data could include dust and dirt, physical bumping of the cameras, differences in light and other atmospheric conditions within the factory. Behavioural factors (the unexpected actions of individuals) may also impact accuracy.
- These further scenarios will be tested to quantify any risks to data quality and to understand available mitigations.
- The Project Team and the AI solution vendor (Portex AI) will report back to Steel & Tube on the outcome of the feasibility study, the validity of the data, the outcome and learnings, the improvements to health and safety in providing detection of potential incidents and education, and the ability to provide an effective engineered control to prevent the GE1 mesh welding machine from restarting if cage door is open and/or someone is detected inside the cage.
- The results of this data gathering and testing will be reported to senior management and made available to a wider audience outside the company through a series of presentations to the SCNZ H&S Forum and to digital technology companies with an interest in health & safety technology in a manufacturing context.

Outcome: The company will understand the feasibility and likely cost of using CCTV cameras and AI technology to replace the existing administrative control protecting machine operators using the GE1 mesh welding machine from two-person interlock override risk.

It is difficult at this stage to estimate the amount of internal time and resources that will need to be committed to this activity to achieve the desired outcome. Internal labour costs have not been included when quantifying the expenditure associated with this activity.

3.3.3 Improved health & safety induction training for new employees

Background: [REDACTED] Wider analysis of the English literacy levels of the company's workforce has been undertaken. This analysis identified that the average English language literacy level amongst workers across the company was literacy level 4. The current employee induction training involves a face-to-face session with the employee's line manager. The new employee is then required to complete and sign a health & safety induction form.

Purpose: To review and reimagine the Steel & Tube health & safety induction training so that it is fit for purpose for all employees including those from a non-English speaking background.

Scope: The company will redesign the health & safety induction training and support the use of the induction form with video content.

Delivery:

Step One: Engage the Learning Wave to determine the literacy level of the employee health & safety induction training form and to redraft the content of the form so that it is comprehensible by workers functioning at literacy level 4.

Step Two: Steel & Tube design specialists will work with representatives of the Learning Wave to redesign the look and feel of the form to enhance and modernise the presentation of the content that it contains. Consultation and feedback from staff (managers and workers) will be gathered and used to inform the redesign process.

Step Three: Steel & Tube digital team will create an online version of the form for use where appropriate as an alternative to the paper-based form.

Step Four: The company will work with VideoTaxi to develop a short video which can be viewed by any new Steel & Tube employee and contractor highlighting the generic aspects of the health & safety induction training module that are relevant to all staff around the country. For example, this video will present Steel & Tube's "killers and life savers" which are the company's critical health & safety risks. Additional shorter videos will be produced explaining each of the 6 killers and life savers.

The voicetracks for the videos will be translated into the different languages that are most relevant to our workforce. The videos will then be able to be viewed in the employee's language of choice. The estimated cost of this translation exercise is \$3,000.

Step Five: Further video content will be developed providing a generic introduction into the concept of "Lock Out Tag Out", including why it is necessary and situations when a lock out tag out procedure is normally required. This video will need to be generic so that it is of value across the organisation. Specific lock out tag out requirements apply for individual machines and the video will need to make new employees aware of this variation by site and machine by directing employees to the specific work instruction for each machine. The estimated cost to produce this video is \$5,000.

The intention is that the redesigned form and video content will complement but not replace the in-person element of induction training currently provided by the line manager.

Step Six: A formal roll out of the new health & safety induction training will be deployed so that all line managers and people leaders are aware of the changes and the new expectations of line managers carrying out new employee health & safety induction.

Outcome: The revised and reimagined induction training and supporting video content will be available for new employees within eighteen months of this undertaking being issued.

It is estimated that this activity will require a significant commitment of internal time and resources to achieve the desired outcome.

The estimated costs for delivering this activity are \$49,250 plus GST. Internal labour costs have not been included when quantifying the expenditure associated with this activity.

Provider	Details	Estimated cost (excl. GST)
Learning Wave	Rewrite and visually enhance the health & safety induction training document	\$2,500
Video Taxi	Health & safety induction videos – 1 x Business Update video, 35 hours at \$250 per hour 6 x Explainer videos, 20 hours each at \$250 per hour	\$38,750
Various	Translation Services	\$3,000

Video Taxi	LOTO video - 1 Explainer video, 20 hours at \$250 per hour	\$5,000
Total estimated costs of benefits for workers/others:		\$256,950
3.4 Activities to be undertaken to promote the objectives of the health and safety legislation that will deliver benefits for the wider industry sector		
ACTIVITIES	Cost (\$)	Timeframe
Outline the activity and expected outcomes		
3.4.1 Facilitated workshops to enhance labour hire worker safety in the manufacturing sector		
<p>Background: At the time of the Contravention the Injured Worker was employed by a labour hire company and working at Steel & Tube on a contract basis. Subsequently Steel & Tube has had challenges in consulting, co-operating and co-ordinating activities with our labour hire partners to ensure that all PCBUs discharge the overlapping duties to workers under the Health & Safety at Work Act 2015. The company is aware that this has been an industrywide issue.</p> <p>Purpose: To encourage engagement between representatives of the labour hire sector, their customers in the wider manufacturing industry, the workers involved and other stakeholders. Ideally this will build towards an accepted understanding of the role of each participant in the labour hire transaction (the worker, the labour hire company, and their customer) as to their respective duties.</p> <p>Scope: Workshop Series: A series of targeted workshops focusing on specific topics related to the labour hire and manufacturing industries.</p> <p>Stakeholder Engagement: Inclusion of a wide range of participants: frontline workers (both labour hire and manufacturing sector), health and safety reps, union representatives, and management (both labour hire and manufacturing sector) to ensure diverse perspectives and expertise.</p> <p>Solution Development: Utilisation of collaborative problem-solving techniques to develop actionable strategies that address identified safety gaps for labour hire workers.</p> <p>Pilot Programmes: Implementation of pilot programmes to test and refine proposed solutions, with a focus on measurable outcomes and scalability.</p> <p>Delivery: Steel & Tube will engage First Step Solutions Limited to deliver of a series of facilitated workshops (face to face and online) that bring together key stakeholders from the labour hire industry, unions, Manufacturing Association and manufacturing sector. These workshops will serve as a platform to achieve the objectives set out below. The intention is at the first workshop the participant group will jointly decide on three issues that they want to focus on and create problem statements for these. At this point the group will be divided in teams and allocated an issue to focus on (they will be also able to participate in multiple groups).</p> <p>These teams will be tasked with delivering back to the wider group a proposed solution to the initiative they were assigned. This process is estimated to take four to six months depending on participants availability. The First Step Solutions team will work with these groups in a supporting role ensuring regular meetings are set up online and progress is made towards their goal. This will provide guidance and help to support the development and shaping of the initiatives. It is anticipated that the group will meet once a month virtually to discuss progress and next steps. First Steps Solutions team will also check in with key team members during the month to ensure momentum is maintained.</p> <p>At the end of the agreed timeframe the wider group will come back together face to face in a second workshop to discuss proposals and agree steps to implement the relevant initiatives in the form of pilot programmes for the betterment of the workers and the industry.</p> <p>Throughout the process First Step Solutions will identify leaders who can continue to provide momentum by bringing the groups together so that it does not become reliant on an external source to make progress. First Step Solutions will also look to identify businesses within the labour hire and manufacturing industry willing to test the pilots created by the three groups.</p>		

First Step Solutions will also support Steel & Tube's wider execution of this enforceable undertaking through participation in the project governance group. This will provide oversight and support for the execution of all the activities described in this application.

Outcome: The outcomes of the workshops will be determined by the topics that the participants choose to focus on in groups, but Steel & Tube and First Step Solutions expect to see a focus on the themes around overlapping duties, job suitability (placing the right person in the right job), induction processes, and ways to design workplaces and work processes to protect vulnerable workers.

Improved Safety Cultures: Enhanced safety protocols and cultures that prioritise the well-being of all workers, fostering a safer working environment.

Scalable Solutions: Development of good practices and solutions that can be adapted and applied to other sectors, multiplying the initiative's impact.

The estimated cost for engaging First Step Solutions to deliver this activity is \$36,200 + GST

This amount is broken into \$33,500 + GST for delivering the facilitated workshops and \$2,700 + GST for assisting with the governance overseeing the implementation of this enforceable undertaking.

It is estimated that this activity will require a moderate commitment of internal time and resources to achieve the desired outcome. Internal labour costs have not been included when quantifying the expenditure associated with this activity.

3.4.2 Health, safety and wellbeing innovation project for vulnerable workers

Background: There were several factors associated with the employment of the Injured Worker which created heightened health and safety risk for the Injured Worker and which may have contributed to the Contravention

There is a large cohort of workers with some or all of these characteristics within Steel & Tube's staff and within the workforces of similar organisations in the manufacturing sector.

Steel & Tube is motivated to explore improved engagement with health and safety systems and procedures for this cohort of workers. Steel & Tube is interested to work with other comparable organisations to explore gaps between what may be documented in policies and what is informing day to day interactions and decision making for workers.

Purpose: Use a co-design approach to strengthen support for this cohort of workers across the manufacturing industry and improve health and safety practices in their workplaces.

Scope: Engage Annie Ualesi from Called consultants to establish a community of practice involving Steel & Tube and up to four other similar organisations within the manufacturing sector that are open to exploring innovative change in the area of health and safety culture for a cohort of migrant workers. Other stakeholders and interested parties will be invited to participate in the project. The initial proposal is to focus on workers with a Samoan or Filipino background.

Delivery: The approach that Called is proposing to adopt to problem solving in this area requires flexibility however, at this early stage, it is envisaged that the project will involve the following key activities:

Phase 1 Frame: Identify stakeholders, establish a co-design team and define the objectives.

Phase 2 Understand: Conduct research and gather insights.

Phase 3 Design and test: Collaborative workshops and meetings to generate ideas, develop solutions and prioritise actions.

Phase 4 Scale and amplify: Further workshops to develop a collective action plan.

Outcome: The desired outcome of this project is an enhanced industry wide understanding of requirements for a health & safety culture for vulnerable workers and the actions that can be taken to support positive health and safety outcomes for this group of workers.

The estimated cost for engaging Called consultancy to deliver this activity is \$80,000 + GST

It is estimated that this activity will require a moderate commitment of internal time and resources from Steel & Tube to achieve the desired outcome. Internal labour costs have not been included when quantifying the expenditure associated with this activity.

3.4.3 Nightshift supervision training and micro credential

Background: The Contravention occurred at around 7.15 pm during the hours of darkness while the site had a significantly reduced number of operators at work compared to a normal day shift. There are additional and heightened health & safety risks associated with working at night. Improvements in Steel & Tube's management of these risks may have prevented the Contravention. The company is aware of wider industry concerns about the lack of understanding and effective management of these additional and heightened risks.

Purpose: Provide manufacturing industry operators with an opportunity to upskill line managers on the additional and enhanced health and safety risks for people working at night in manufacturing operations.

Scope: Develop a training programme for operational managers to enhance understanding of the health and safety risks associated with operating a nightshift including fatigue management. Explore the option of recognising the content of this training programme as a micro qualification approved by NZQA.

Delivery:

Work with a training provider, Learning Wave, to develop the content for a relevant training course based on the existing WorkSafe guideline <https://www.worksafe.govt.nz/topic-and-industry/fatigue/managing-the-risks-of-shift-work/>

The course will be made available as a two-day public workshop pilot at no cost to up to 30 participants from the East Tamaki Business Association members, many of whom are also operating nightshift. The course will have an "in person" facilitator and will be hosted in the Steel & Tube facilities at Stonedon Drive.

A short video will be made showcasing the programme. This will be made available to the wider industry in electronic form.

Work with Mike Lortan at Hanga-Aro-Rau, Manufacturing Engineering and Logistics Workforce Development Council to have the training course presented to NZQA for approval as a micro qualification. Steel & Tube is not able to undertake that the micro qualification will be accepted by NZQA as it is beyond company's ability to reasonably predict the outcome of the application.

Outcome: Completion of the deliverables that comprise this initiative within 18 months.

The estimated costs for delivering this activity are \$41,000 plus GST.

Provider	Details	Estimated cost (excl. GST)
Learning Wave	Design and development of the course and 2 Two-day public workshops	\$36,000
Video Taxi	1 Explainer video, 20 hours at \$250 per hour	\$5,000

It is estimated that this activity will require a moderate commitment of internal time and resources to achieve the desired outcome. Internal labour costs have not been included when quantifying the expenditure associated with this activity.

Total estimated costs of benefits for industry:	\$157,200
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3.5 Activities to be undertaken to promote the objectives of the health and safety legislation that will deliver benefits for the community

ACTIVITIES	Cost (\$)	Timeframe
Outline the activity and expected outcomes		

3.5.1 Support Papakura High School

The Contravention brought home to the company the additional risks for workers who are new to their roles. Papakura High School's careers department operates a transition to work programme that prepares school leavers for the world of work. This programme provides students with information about employment and career opportunities and with skills to carry out their own career research on-line. Students on the programme are supported to gain their driver's licence and exposed to different employment options through workplace visits. Participants in the programme have confirmed that it was extremely helpful for them in navigating this important and risky transition. Steel & Tube will make a donation of \$15,000 to support Papakura High School to acquire more digital hardware for students on this programme to access and use. Some of the Injured Worker's children currently attend Papakura High School.

3.5.2 Support Rising Foundation

Steel & Tube is part of the South Auckland community having 5 separate manufacturing and distribution sites located in the area and drawing employees from the wider district. Steel & Tube will make a donation of \$15,000 to the Rising Foundation to support the Foundation's partnership programme. This is a school-based programme operating in 5 South Auckland schools. The Rising Foundation works with intermediate and high school students providing mentoring, employment pathways and adventure camps.

Total estimated costs of benefits for community:	\$30,000
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