FORM

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

Unison Contracting Services Limited (UCSL)

New Zealand Government

WORKSAFE
Mahi Haumaru Aotearoa

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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:

Toby Davis, CEO, Unison Contracting Services Limited (UCSL)

On behalf of:

Unison Contracting Services Limited (UCSL)

Name of the entity giving this undertaking

Unison Contracting Services Limited (UCSL)

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	A Health and Safety Management System.
Person	An individual who or a legal entity which has a duty under the *Health and Safety at Work Act 2015* 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	*Health and Safety at Work Act 2015* 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).

New Zealand Government

1. General information

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

Name of person(s) making this undertaking: (

Toby Davis, CEO UCSL

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

UCSL

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

Registered New Zealand Company

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

Toby Davis

Physical address:

1113 Omahu Rd,
Hastings 4156

Postal address: (if different from physical address)

1113 Omahu Rd,
Hastings 4156

Work phone: 06 873 9343

Mobile phor [redacted]

Email: toby.davis@unison.co.nz

Industry: Electricity Distribution

Workers (enter numbers):

Full-time: 297 Part time: 7 Casual: Nil

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

Building, maintaining, inspecting and repairing electricity distribution networks.

Comments:

nil

1.2 Detail of the contravention

On 27 July, 2018, a UCSL worker was undertaking routine, pre-deployment testing of distribution transformers in its depot workshop in Hastings. The work involved applying a test voltage to the transformer and undertaking various tests to ensure the performance, safety and integrity of the transformer before it is placed on the network. Following the completion of a test, the injured person came into contact with energized equipment and suffered the injuries described in section 1.7 below.

Worksafe has alleged (on 21 August, 2019):

As a PCBU, UCSL had a duty to ensure, so far as was reasonably practicable, the health and safety of workers who worked for it, while the workers were at work in UCSL's business (namely, testing transformers), pursuant to section 36(1)(a) of the Health and Safety at Work Act 2015.

It was reasonably practicable for the UCSL to:

(a) Carry out an effective risk assessment of transformer testing;

i. An effective risk assessment of transformer testing should have been carried out to ensure that the risks involved were identified and assessed, and adequate controls implemented to manage those risks;

(b) Provide, maintain, implement and monitor an effective safe system of work for transformer testing, including adopting controls that offer the highest level of protection reasonably practicable;

i. A safe system of work should have been implemented, including a formal standard operating procedure for transformer testing
ii. The safe system of work should have included engineering controls and the provision of safe equipment, in addition to wearing insulating gloves and administrative controls
iii. UCSL should have maintained and monitored workers' use of the safe system of work, to ensure it remained current and fit for purpose;

(c) Ensure that workers are physically separated from live parts during transformer testing;

i. There should have been a physical barrier between workers carrying out the testing (including the short circuit test) and live parts;

(d) Ensure that workers prove the electricity supply to the test set was de-energised, by testing, before handling the test set leads;

i. In accordance with AS/NZS 4836, and other industry guidance, any worker entering inside a test area barrier should have been required to first electrically isolate the power supply into the test area, then, using an appropriate test device, prove the supply de-energised before touching any test leads or clamps;

(e) Provide appropriate and safe plant for testing transformers;

i. The test equipment, including the leads and clamps, should have been adequately maintained, had a CAT rating and been properly insulated

ii. Test equipment used for short circuit testing should have allowed for workers to be physically separate from the testing area and live parts, during the testing process;

(f) Ensure the use of insulated gloves during transformer testing, including during removal of the testing equipment from the transformer.

i. Workers should have been instructed that testing was to be treated as live work and that gloves were therefore mandatory.

[redacted]

[redacted]

1.3 Detail the events surrounding the contravention

The injured person was undertaking pre-deployment tests of electricity distribution transformers in UCSL's depot workshop. The injured person was an experienced, qualified, registered electrician and line mechanic who had previously undertaken the task more than 100 times.

The distribution transformer under test is a step-down transformer, which is capable of transforming 11,000V to 400V for supply. Under test conditions, however, only a low voltage is applied to the transformer. The test involved connecting test leads to the high tension side of the transformer from the test equipment, which supplied 400V (230V per phase) and returning the current to the test equipment at extra-low voltage (16V) from the low tension side of the transformer through test leads. Three tests were conducted to ensure the safety, quality, performance and integrity of the transformer before it is deployed into the network. A warning beacon on the test equipment served to identify that the test equipment was energized and live parts not be touched. The test equipment was old, but had been used without incident prior to the accident.

As the three tests were completed, a form was completed recording the test results. Due to the fact that the test form was completed it is known that the tests on the transformer connected at the time of the accident had been completed. Due to the injuries suffered by the injured person and lack of direct witness, it is not known what exactly occurred, but it seems most likely that a lapse or distraction caused the injured person to fail to notice that the test equipment had not been switched off before the process of removing the test cables commenced. As a result of coming into contact with the energized test leads, the injured person experienced either a 230V or 400V electric shock.

At the time of the accident, a UCSL trainee was observing the test process and writing down the test results. Although he did not observe the accident directly, he saw the injured person slump over the test equipment. He immediately sought to kick the injured person clear and shouted for assistance. Another employee in the workshop isolated the power supply and first aid was commenced, including CPR and successful use of the on-site defibrillator. The ambulance service was called and arrived to take over treatment of the injured person and transport him to the hospital.

Worksafe were notified of the accident and the accident scene was cordoned off and frozen for inspection.

Following the accident, all UCSL Hastings staff were notified on the day, with immediate professional counselling support offered, and available, for all workers following the debrief.

UCSL immediately ceased all testing of transformers, pending the outcome of a review of test procedures and identification and procurement of test equipment, which had been removed as part of Worksafe's investigation.

Further details on the rectifications are provided in section 1.5.

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
/ /	Nil			
/ /				
/ /				

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)

UCSL immediately ceased all transformer testing at its Hastings depot.

UCSL secured new-to-market test equipment, with improved safety features (operating at lower voltage and current), redesigned the test process, included a mandatory safety observer for testing, compiled a standard operating practice for transformer testing, and undertook training with the equipment supplier on undertaking the tests.

In addition, UCSL undertook a review of all activities performed at its depots, introduced mandatory work-site safety plans (tailgates) to be prepared for all activities on its depot sites (previously these were mandatory for field-based work), and undertook an equipment review to ensure no other pieces of aged equipment that did not have appropriate safety features were present on its depot sites, or without SOPs. None were found.

UCSL issued a Safety Alert to all employees, reminding workers of the company's safety non-negotiables, including PPE requirements, worksite safety plans and emphasizing the importance of insulating gloves.

1.6 Total amount of money spent on rectifications

New test equipment: $43,235.00. Megger MWA300/330A, plus associated test leads.

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 person's injuries were:

(a) Full thickness entry and exit wounds to both hands exposing bone and ligaments

(b) Third and fourth degree burns to digits two to five of his right hand and further injuries to his right thumb and the webbing between his right thumb and index finger

(c) Third degree burns to his left thumb and the webbing between his left thumb and index finger

(d) Cardiac arrest

(e) Small burn to his chin

(f) Post Traumatic Amnesia.

On 31 July and 2 August 2018 the injured person underwent operations which resulted in amputation of two fingers:

(a) his right little finger at the base

(b) his right fourth finger to the first joint (two thirds amputated).

As a result of the electric shock it was necessary to perform CPR and use a defibrillator. The electric shock could have proved fatal.

A return to work programme was developed with the employee and ACC, and the injured person was back at work in October, 2018 (2.5 months after the accident), with progressive increase in his hours.

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)

The injured person is an employee of UCSL.

Detail offer of amends or payments:

UCSL made a payment of $25,000 to the injured person on 20 September, 2018.

UCSL commits to making an additional payment of $10,000 by 31 March, 2020.

In addition to ACC payments that the injured person received, UCSL paid ACC top-up to 100% of salary to the injured person – value of ACC top-up payments for the period 27 July 2018 – 19 September 2019 wa[redacted]

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

UCSL has consulted with the injured worker on seeking an undertaking as an alternative to prosecution. He is fully supportive of UCSL making this application and consents to being contacted by Worksafe to verify his support.

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

UCSL consulted with and received support from in the development of this enforceable undertaking:

1) Electricity Engineers Association
2) Electricity Networks Association
3) Electricity Networks Contractors Forum – UCSL presented its enforceable undertaking proposal to financially and technically support the EEA to establish a safe system of work (within the SM:EI) for controlling and accessing LV lines and equipment
4) Electrix – who are an active member of both SSPG (the NZ Committee responsible for the creation and publication of electrical standards) and the NZ Committee for Live Work (HV and LV)
5) E Tu Union for Hawkes Bay and Bay of Plenty region

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

DATE	DESCRIPTION OF SUPPORT	COMMENTS
/ / 2018	Reparation of $25,000 to injured person 20/9/18 and ACC top-up to 100% of salar[redacted] from accident date to 16/9/19)	Total $51,612
/ / 2018	Trauma support for co-workers	Support provided over time to value [redacted]
/ / 2018	Flights and accommodation for immediate family	Total $[redacted]ly, August
/ /	Support for extended family to provide childcare during hospital stay	Total [redacted]
/ /	Paid leave for the injured worker's friend / co-worker (one of our electrical fitters) to assist the injured person and his family following the accident, including supporting travel of his children and family - 74.5 hours	Tota[redacted]
10 / 10 / 2018	Flights for extended family to visit injured person	Total $[redacted]

/ 3 / 2020	By 31 March, 2020 make an additional reparation payment to the injured worker	$10,000
/ /		
/ /		
/ /		

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:

UCSL maintains a health and safety system that conforms to AS/NZS 4801. It is audited by independent certifier Telarc and was current at the time of the accident.

UCSL has decided to transition the health and safety system to ISO45001, the International Standard for Health and Safety Systems.

UCSL is acutely aware it operates in a high risk industry. It employs dedicated health and safety professionals to facilitate high safety standards, which are governed by a health and safety policy, which cascades to a large volume of standard operating procedures, safe work method statements, training, employee induction, supervision, Health and Safety Committees at each of its depots, quarterly combined Health and Safety meetings, near miss reporting and forums for sharing lessons. Internal and external audit programmes are in place to monitor adherence to UCSL's requirements and to identify areas for improvement.

In addition to the formal safety system, as leadership and culture is recognized as a key to fostering a positive health and safety climate, UCSL has invested significantly in these areas. In conjunction with Orange Umbrella, an expert safety consultancy, UCSL has rolled out the "Great Safety Performance" initiative as well as invested in employee training with Dr Hillary Bennett from Auckland University in the form of initiatives called "Bloody Legend," and "Better Man" which aims to provide psycho-social skills to leaders to achieve positive safety outcomes.

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

The HSMS is audited externally by Telarc on an annual basis against the AS/NZ4801 standard. The system is also subject to an internal audit on an annual basis.

In addition, UCSL's workers are subject to ongoing internal assessments by two dedicated assessors, and by an external auditor on a bi-monthly basis.

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

UCSL has consulted with the injured worker, Electricity Engineers Association, Electricity Networks Association, E Tu Union (Hawke's Bay and Bay of Plenty branches), and UCSL's Health and Safety Committees, and Contractor's Forum (made up of representatives of Electrix, Connetics, Downers and Horizon Energy). These organisations are supportive of UCSL's proposals to support the development of improved processes for managing the control of LV Works as described in section 3.4 of this application.

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

UCSL acknowledges that Worksafe has alleged a contravention of Sections 36(1)(a), 48(1) and 48(2)(c) of the Health and Safety at Work Act 2015.

2.2 Statement of regret that the contravention occurred

The UCSL Board and Management express their heartfelt regret that the accident occurred. Our aspiration is that every employee goes home from work fit and well and we acknowledge that the accident should not have happened.

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

UCSL considers that this undertaking is an appropriate response to the contravention. UCSL has invested heavily over the past decade to better seek to ensure that all of its people go home safe and well at the end of each day. By way of evidence/support for this statement, UCSL records that for the past 10 years the company (frequently in conjunction with its parent company, Unison) has been engaged in improving not only its own Health and Safety system but also actively educating the community about electricity. This led to the development of the Electricity Awareness programme called "Safe Working Near Electricity". This awareness session was extended to Contractors who work alongside UCSL employees on the Unison electrical network in 2010.

As UCSL's workforce has grown and the complexity of the business has increased, UCSL realised that in order to maintain a safety focus and develop skill levels, employees needed to receive continual training. To promote this UCSL entered into an agreement with the Eastern Institute of Technology (EIT) to open a training facility called the Centre of Excellence (COE) in early 2012. This training facility has grown to be used not only by UCSL employees but by national training organisations conducting programmes for other electricity network employees. In addition to standard classrooms, this facility allows for practical training on the actual equipment, including poles, that workers may encounter out in the field but in a safer environment and not connected to the electrical network.

In 2009 UCSL's HSMS was accredited to ACC's WSMP programme at tertiary level, the highest level. However, aside from health and safety system requirements, the Company also identified it needed to do more to achieve a high functioning safety culture. After a period of time considering options, UCSL decided to trial the "Safety Climate Project" that had its genesis in the NZ electricity industry and was supported by the Electricity Engineers Association (EEA). This developed into the Great Safety Performance programme. The programme's success has been demonstrated in the reduction of key indicators such as injuries, incidents and an increase in near miss reporting. A key success was the involvement and consultation with all employees to give them a voice and sense of achievement for the improvements realised.

The three examples of UCSL's Health and Safety improvements to systems and culture, culminated in winning the Health and Safety section of the Hawkes Bay Chamber of Commerce Business Awards in 2015, and UCSL has received the Workplace Safety Award from the EEA in both 2011 and 2014. The EEA Public Safety Award was presented to Unison for the 'Be Aware Electricity Kills' Programme in 2019.

UCSL also seeks to promote excellence in safety by entering the Annual Connexis "Connection" competition. The competition benchmarks quality and safety in lines services and involves workers from network companies and contractors from around New Zealand. UCSL has won the overall title three out of the five years that it has entered, including specific awards for "testing for safety" and First Aid.

UCSL therefore considers it acts as a good corporate citizen to maintain and improve its health and safety performance. We contribute actively to industry initiatives to develop and improve safe work practices. Although UCSL does not deny that in this accident it did not meet the highest standard of worker safety, more generally UCSL has the utmost desire to provide a safe working environment and to continuously improve health and safety for its own workers as well as other PCBUs.

In addition, UCSL considers that the undertakings put forward in this application have the potential to make a significant and positive impact on safety performance for its workers, the industry and community.

In particular, the industry is confronting an emerging safety issue associated with the fundamental change that is under way in the which the electricity system works. Many electricity consumers are now also producers, having their own solar panels which feed electricity back into the network. Although installation standards should ensure these systems cut-out when grid supplies are interrupted to ensure the safety of electrical workers, there is a risk that non-compliant systems do not cut out. This poses a new risk to workers that is not well addressed by existing industry standards. In addition, at the low voltage end of the network, we understand from the Electrical Engineers Association (EEA) that there is large variation in work practices to manage risks on LV networks.

This undertaking will address those issues.

We have consulted with the EEA in the preparation of this undertaking to identify safety initiatives that they believe will make a meaningful impact on progressing standards and guidelines to improve industry safety with UCSL as a cornerstone support.

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

The rectifications that UCSL has put in place mean that the accident cannot reoccur. UCSL has invested in the latest transformer test equipment which operates in a fundamentally different manner to the test equipment involved in the accident. The test equipment operates in such a manner that contact with the test equipment in its live state could not deliver a harmful shock because the test voltages and current are below the levels that can cause harm. A dedicated safety observer adds a further level of control.

In addition, UCSL considers that strengthening its Health and Safety System by transitioning to ISO45001 will contribute improvements in organisational defences.

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

UCSL

has read and understood the Enforcement undertaking Operational Policy.

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

UCSL

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

UCSL

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

1. the latest annual report of the Unison Group, (which demonstrates the cashflows, financial performance and financial position of the Group).

with this undertaking to support this declaration.

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

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

Nil

2.9 Statement regarding Intellectual Property

UCSL

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

UCSL

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.

UCSL

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:

As stated in section 1.12, UCSL has elected to transition its Health and Safety System to the modern ISO45001 standard for Health and Safety Systems.

UCSL commits to the following:

1. Receive an independent gap analysis that identifies the gaps between its existing 4801-compliant health and safety system and the requirements of ISO45001, by 31 March, 2020.

2. Establish a Board-endorsed project management plan by 31 May, 2020 for implementation of the ISO45001 system.

3. Implement bi-monthly reporting to a UCSL internal steering committee on progress in tracking implementation of the project management plan.

4. Implement six monthly reporting to the UCSL Board on progress in tracking implementation of the project management plan.

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:

Details of the undertaking would be provided to UCSL's Health and Safety Committee and a briefing at UCSL's quarterly all-staff meetings at its four depots. In addition, UCSL would post information about the undertaking on UCSL's intranet and making available copies on staff notice boards.

At the industry level, UCSL would prepare an overview of the Undertaking, with reference to Worksafe's website repository of Enforceable Undertakings, to all 26 Members of the Electricity Networks Association, through its publication "Down the Line".

Dissemination will occur by: 31 March, 2020

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	COST ($)	TIMEFRAME
Increased training for UCSL's Health and Safety Representatives		
UCSL currently provides one training course per year for its 32 Health and Safety Employee Representatives. Under this undertaking UCSL would achieve 75% of all representatives at Level 4 of the NZQA Standard by 31 March, 2021. (The 75% target allows for staff turn-over and turn-over of elected representatives). Ensuring a high proportion of H&S representatives have formal training will better ensure they can be effective advocates of health and safety.	$36,450	31/3/2021
Provide leadership training to UCSL's Field Leaders	$50,000	31/12/2020
Leadership and culture are essential contributors to achieving positive safety outcomes. Under this undertaking, field leaders will receive training in New Zealand Certificate in Business Level 3. UCSL has identified that this programme would deliver the necessary leadership training and skills to Field Leaders to support them in delivering UCSL's work programme in a safe and efficient manner. UCSL commits to putting 20 people through this programme in 2020 at an estimated cost of $2,500 per employee, excluding any costs of time off for study.		
Provide Risk Assessment Facilitator training	$11,000	30/06/2020
Facilitating risk assessment processes is an important component of ensuring that stakeholder contributions to identifying and managing safety risks is effective. Under this undertaking UCSL would put ten staff through a risk facilitation training workshop provided by IMPAC.		
Total estimated cost of benefits for workers/others	$97,450	

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
Industry safety documents (Safety Manual Electricity Industry (SMEI)) provide a structured approach to the control of work on high voltage electric lines and equipment. This includes processes for controlling access and testing. However, in the area of low voltage (LV) electric lines and equipment which form part of an EDBs assets there has been less formal structure with most work being controlled under a Minor Work Management System with responsibility for control of isolations and safety measures being held by a work party supervisor. The industry is now turning its attention to develop more formal safety standards for the control of LV electric lines and equipment work because of the increasing risks associated with LV distribution networks becomes more interconnected with multiple supply points. This includes a growing number of residential and commercial consumers injecting and selling their excess solar panel production or battery stored electricity into existing LV. Given the increasing activity on the LV network a formal structured approach is required to the control of access and testing relating to LV network assets. This work will result in new requirements being incorporated into the next publication of industry safety rules SME and supported by national industry practice standards The Electricity Engineers' Association (EEA) is the lead industry agency that develops and facilitates industry-wide uptake of safety standards including SMEI. It relies on industry expertise, technical collaboration and other support to develop new standards and review existing standards. Similarly, training providers and the vocational ITOs such as Connexisrely on EEA and industry to identify training requirements for required work practices and to maintain competencies. As part of this undertaking, UCSL would provide safety, technical and financial assistance to EEA to significantly accelerate their LV work control work programme to deliver targeted resources, consultation, education, change management and monitoring tools for improving LV safety in the EDI. This more comprehensive programme will see an industry system-change which includes improved understanding, earlier and higher uptake, and improved LV safety outcomes. The EEA estimates the time to deliver a comprehensive programme of work would be 15 months, with UCSL's financial and technical support. This programme and projected timeline some of which can be run in parallel due to the availability of additional financial resources would include:	150,000	

• Identification of key stakeholders, development and publication of a comprehensive guide to the control of work on Low Voltage electric line and equipment. (Timing; Completion up to 11 months (est. September 2020) – UCSL would provide subject matter experts to the EEA to develop the guide.	30/09/2020
• Development and implementation of a LV Test Permit System for all maintenance and commissioning of LV electric lines and equipment. (Timing; Completion up to 11 months (est. September 2020) – UCSL would provide subject matter experts and assist with trialling the Test Permit System.	30/09/2020
• Development of unit standards, training material and support for the delivery of consistent national training and assessment modules. (Timing; Completion est. April 2021) – UCSL would provide subject matter experts to the industry training provider(s) to assist their developers to develop the unit standards.	30/04/2021
• Development of audit guidance and tools to monitor and report on use/issues from the implementation of work control LV low voltage (LV) electric lines and equipment processes for controlling access and testing (Timing – Completion April 2021) – UCSL would provide subject matter experts to EEA to support the development of audit tools.	30/04/2021
• UCSL would be a primary stakeholder in supporting the EEA to achieve the outcomes stated above.	

UCSL's financial commitment to support this EEA project is $150,000. This excludes the costs to UCSL of making its subject matter experts available to the EEA to develop the new guidelines and training materials. UCSL estimates that its technical support could amount to 12 weeks or more of full-time equivalent to a cost of $50,000. This internal cost has not been included below.

Total estimated cost of benefits for industry	$150,000

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
Donation to Lower Hutt DHB Burns Unit, where the injured worker received his treatment	$15,000	Within two weeks of executing the undertaking
Donation of ten automatic external defibrillators (AEDs) to the community. UCSL would consult with community organisations and representatives on where these would be best located, including potential to locate them on Marae, sports and cultural clubs or in other community organisations, such as learning institutions. UCSL would use its database of schools that have participated in its "Safe Sparks" education programme as well as organisations that have received "Be Aware, Electricity Kills" presentation to contact those organisations to ascertain whether they could benefit from an AED. We would also liaise with Hawke's Bay DHB in determining the optimum locations for further AEDs in the community.	Estimated $25,950	Within three months of executing the undertaking to enable community consultation
Total estimated cost of benefits for the community	$40,950	

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

3.7.1 UCSL

commits to a minimum spend of $350,000 for this undertaking.

3.7.2 UCSL

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 UCSL

Acknowledges the minimum spend comprises of the:

TOTAL COST	MINIMUM SPEND
Financial amends paid to victims (if applicable)	[redacted]
Benefits to workers/others	$97,450
Benefits to industry	$150,000
Benefits to community	$40,950
Estimated cost of the undertaking Plus GST (if any)	$350,400

4. Execution

Authorised representative of an organisation

Undertaking given by
Toby Davis

In my own right and in my capacity as
Chief Executive Officer

of UCSL

On the 13 day of MARCH , 20 20

[redacted]g:

Undertaking given before me:

Witness name: [redacted]

Witness address

5. Acceptance

This undertaking is accepted by WorkSafe.

On the 16 day of March , 2020

[redacted]

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

Undertaking given before me:

Witness name:
Cordell Weir

Witness address:
86 Customhouse Quay
WGTN

[redacted]