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Coroner Lesser
Coroners Court of Victoria
Railway Terrace
GEELONG VIC 3220

4 February 2016

Dear Coroner,

**Investigation into the deaths of Noel Imbrogno
COR 2013 002868**

I refer to your findings and recommendations received by WorkSafe on 16 November 2015 in the above matter.

I note previous correspondence between WorkSafe and the Court which indicated that WorkSafe was able to implement your recommendation by distribution of a Safety Alert.

I advise that WorkSafe's response to the recommendation is as follows:

Recommendation 4: The recommendation has been implemented.

WorkSafe distributed a case-study alert to our stakeholder networks. The alert has also been uploaded and published on WorkSafe's website at <http://www.worksafe.vic.gov.au/forms-and-publications/forms-and-publications/maintenance-and-repair-of-commercial-vehicles>. WorkSafe also hopes to generate some social media activity around the alert in the near future.

I enclose a copy of the Alert for your records and for publication on the Court's website.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Clare Amies".

Clare Amies
Chief Executive
WorkSafe Victoria

Safety Alert



Maintenance and repair of commercial vehicles

January 2016

This Alert provides guidance about the risks associated with failing to maintain and repair components in a commercial vehicle (vehicle used for carrying goods or fare-paying passengers). It also highlights the importance of conducting regular inspections, maintenance and servicing of commercial vehicles.

Background

An employee who was a passenger in a commercial heavy vehicle sustained fatal injuries as a result of a road accident.

Following the incident, an examination of the vehicle identified that the driver seat was in an unsafe condition as it was not adequately secured. This was due to missing parts and cracks in the metalwork of the seat pan (including welds in the steel frame).

Although the employer was aware of the condition of the driver seat, it had not been repaired and was in an unsafe condition at the time of the accident.

This incident highlights how the lack of, or inadequacy of, work procedures to repair reported faults creates a risk to employees and others.

Recommended risk control measures

Employers should ensure:

- commercial vehicles
 - are roadworthy, safe and without risks to health
 - are regularly inspected and appropriately maintained (this should include monitoring any repair work undertaken)
 - with faults are not used until they are repaired
- components are repaired appropriately (in accordance with manufacturer recommendations or by a competent person), and
- employees are provided with instruction and training in relation to undertaking pre-operational checks before using commercial vehicles.

Self-employed persons, who operate commercial vehicles, should also adopt the above risk control measures.

Further Information

An example of a commercial vehicle pre-use inspection checklist ('Daily commercial vehicle inspection checklist') is available from vta.com.au

Contact Details

Call us on: **1800 136 089**

Email us at: info@worksafe.vic.gov.au

For more information on occupational health and safety, go to WorkSafe's website: worksafe.vic.gov.au

Disclaimer: This Alert contains information following the Victorian WorkCover Authority's inquiries into the incident at the date of this report. The information contained in this report does not necessarily reflect the final outcome of the Victorian WorkCover Authority's action with respect to this incident. The Victorian WorkCover Authority does not warrant the information in this report is complete or up-to-date, and does not accept any liability to any person for the information in this report, or its use.