

CONSTRUCTION COMPANY RECEIVES SECOND LARGEST SAFETY FINE IN NSW HISTORY

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A Sydney construction company and its director have received the second largest work health and safety fine in NSW history following the death of a bricklayer on a Hurstville construction site in 2014.

“The Court found that the work health and safety system adopted by **Romanous Contractors and Mr Romanous was ad-hoc, unplanned and wholly inadequate,**” Mr Dunphy said.

Romanous Contractors and its Director, Mr Allen Romanous, were found guilty in the District Court and fined \$425,000 and \$85,500 respectively after the 55 year old bricklayer died when he fell five metres through a penetration at the site.

SafeWork NSW’s investigation found that the penetration had been covered with plywood but not secured to the concrete slab. Romanous Contractors were the principal contractor and site controllers, and Mr Romanous was the site manager and responsible for work health and safety. SafeWork NSW charged Romanous Contractors with a breach of section 32 of the [Work Health and Safety Act 2011](#) (NSW) for failing to comply with its duty under section 19(1) of the Act and charged Mr Romanous with a breach of section 32 of the Act for failing to comply with his duty under section 27 of the Act.

Executive Director of SafeWork NSW, Peter Dunphy said Romanous Contractors and its Director were aware of the risk but chose not to address it.

“The Court found that the work health and safety system adopted by Romanous Contractors and Mr Romanous was ad-hoc, unplanned and wholly inadequate,” Mr Dunphy said.

“They should have ensured the penetration was securely covered and inspected the plywood cover to ensure it was attached to the concrete slab prior to work commencing.

“They were also aware of the risk and how to address it after being directed on numerous occasions by SafeWork NSW inspectors to securely cover unguarded penetrations at the site.

“Despite this, Romanous Contractors chose not to and our investigation found that on the day of the incident at least four other workers could have fallen through the penetration before the bricklayer fell to his death.

“A family is now without a father and husband.

“Such a serious offence justifies the penalty imposed by the court which will send a strong message to others in the industry thinking of ignoring work health and safety laws.”

During 2013/14 there were more than 30,000 injuries and 67 fatalities in NSW workplaces with the construction industry accounting for more than 10 per cent of all injuries, making it one of the State's highest risk.

Mr Dunphy added that SafeWork NSW had a range of programs and incentives to help businesses improve safety and productivity.

"We assist, engage and collaborate with workplaces across NSW to ensure positive work, health and safety, workers compensation and return to work outcomes," he said.

"During 2013/14 we provided more than \$500,000 in safety rebates to small businesses and businesses in high risk industries, including the house construction industry to reduce the number of injuries and improve safety culture within the industry.

"We also visited more than 26,000 NSW businesses to assist them in tailoring health and safety solutions to their workplaces.

"Ensuring the safety and wellbeing of workers should be a business's top priority. I encourage NSW businesses to contact their local SafeWork NSW office and organise an advisory visit from one of our safety and return to work experts."