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Department of Labour
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MEDIA RELEASES

WORKPLACE ILLNESS RESULTS IN A CONVICTION AND FINE

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A Motueka spray paint company was convicted and fined under the Health and Safety in Employment Act 1992.

Spectrum Spray Painting Limited was fined \$10,000 for failing to take all practicable steps to ensure the safety of one of its workers and \$5,000 for failing to notify the Secretary of Labour of the serious harm the worker had suffered. The penalty imposed took into consideration the company's ability to pay a fine. The employee was also awarded \$20,000 as reparation.

The employee suffered severe physical symptoms after spray painting isocyanate based paint without having appropriate personal protective equipment.

The employee went to hospital and was diagnosed with isocyanate pneumonitis and in the opinion of the doctor, was close to respiratory arrest. It was also confirmed that the employee suffered acute solvent neurotoxicity and occupational asthma. Occupational asthma is the most prevalent occupational disease in developed countries.

The company failed to take reasonable steps to provide a safe workplace and to notify the Secretary of Labour of the serious harm.

"Spray painters need to be aware that the isocyanate paint, found in two pot paints, can be extremely harmful. The employee in this case no longer works in the industry as they are now sensitized to the product and suffers ongoing asthma symptoms," DoL Nelson Service Manager, Annette Baxter, said.

Research showed many employees were unaware of the dangers of isocyanate paints and today's result should send a strong message to spray painting companies about the importance of making sure employees were protected and could do their jobs in a safe environment.

"Air-fed respirators are the only recognised personal protective clothing equipment to protect against isocyanate exposure and half-mask canister respirators are inadequate, Ms Baxter said."

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