

Liability Issues in HAVS Claims

Aims

- Basic Concepts
- Principal Legislation & Guidance
- Liability assessment

Basic Concepts

- Dose response relationship
- Dose
 - Magnitude – range of frequencies
 - Duration
- Exposure $A(8) \text{ m/s}^2$

Principal Legislation

- HASAWA 1974
- 'Management' Regs
- PUWER
- 'Workplace' Regs

Principal Guidance Documents

- BS DD 43:1975
- BS 6847: 1987
- HSE HS(G)88

BS DD 43:1975 - General

- Application
- Maximum Values
 - 400 minutes
 - 150 minutes and below
- Comparing values
- Use time or anger time?

BS DD 43:1975 - ‘measures to reduce incidence’

- Operator/Environment
- Working Techniques
- Working Method
- ‘The Machine’

BS6842:1987 – General

- Does not set limits
- Dose Response Relationship (basis?)
- Comparing Values – use 2.8 m/s^2
- Risk over time

BS6842:1987 - 'Preventive Procedures'

- Technical
- Medical (inc medical surveillance)
- Administrative
- Advice to individuals

HS(G) 88

- Action Level
- Overall Duty – Reduce sfairp
- Multi tool exposures
- ‘Programme of Preventive Measures’
 - Generally as BS 6842
 - Action for exposures < action level

Summary

- Date of knowledge – ref DD43
- Exposure $> 2.8\text{m/s}^2$ - Control
- Exposure $< 2.8\text{m/s}^2$ - Warnings

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