WorkSafe Awards 2018 winner profile
Spotlight on rural, retail industries
Return to work with alternative duties
St Vincent Industries took out the overall Leadership Excellence Awards at the 2019 WorkSafe Awards. Our cover shows worker Todd using the company’s machines. Read the story behind their award-winning entry on page 4.

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Throughout, the acronyms ‘WHS’ stands for work health and safety and ‘PCBU’ stands for person conducting a business or undertaking.

Supporting employers and workers to achieve healthier and safer workplaces is an important commitment of the Hodgman Liberal Government. A healthy and safe workplace results in better productivity, less injuries and reduced downtime from incidents.

We know that making workplace safety a priority is everyone’s responsibility, which is why it is important to continue building on the work already done to make Tasmanian workplaces the safest in the country.

I am pleased that the WorkCover Tasmania Board (the Board) and WorkSafe Tasmania are continuing to actively work together on a number of initiatives to ensure our regulatory frameworks remain contemporary.

This includes the introduction of nation-leading amendments to the Workers Rehabilitation and Compensation Act 1988 in relation to Post-traumatic stress disorder (PTSD). This legislation is the first of its kind in Australia, and the Hodgman Liberal Government has taken affirmative action to better support public sector workers and reduce the stigma surrounding PTSD.

The year ahead is packed with further initiatives and planned activities all focused on delivering our promise to the Tasmanian Community to be safe and well every day.

Targeted harm reduction – reducing harm in Tasmanian workplaces

• Targeting priority industries and high consequence activities;
• Focusing on priority conditions and their causes; and
• Improving the use of information.

Culture and capability – responding to current and emerging WHS issues

• Increasing stakeholder awareness and knowledge;
• Equipping workers and industry to create safer workplaces; and
• Encouraging workplaces to be work health, safety and wellbeing leaders.

Regulatory frameworks – ensuring our laws are contemporary and effective

• Maximising opportunities to improve regulatory frameworks;
• Promoting innovative solutions; and
• Facilitating meaningful opportunities.

Our Work Health, Safety and Wellbeing Advisory Service continues to help small to medium sized organisations develop and improve health and safety performance. Supported by our Better Work Tasmania initiative our Advisors continue to provide thought-provoking, informative networking sessions throughout the State.

For businesses in the rural industry — an important part of our economy and community, and one of WorkSafe Tasmania’s priority industries — the Safe Farming Tasmania program and its dedicated senior consultant, Phill John, is available to help improve workplace health and safety on Tasmanian farms.

The Safe Farming Tasmania Program, a joint initiative with the Department of Primary Industries, Parks, Water and Environment, continues to build on our long history of working with the farming community to raise greater awareness of farm safety across the State, and provide industry with training and education to help reduce farm work-related deaths and injuries.

I’m also pleased to promote a project currently underway to improve access to a valuable source of information. A single ‘one stop shop’ website is being developed that will incorporate the existing WorkSafe Tasmania and WorkCover Tasmania Board websites into a single streamlined and easy to navigate site. I look forward to its launch later in 2019.

I look forward to continue working with industry to encourage all employers and workers to be safe and well every day.
Who is St Vincent Industries?
St Vincent Industries recycles old clothing into high-quality cleaning products used by industry. Operating since 1972 and with a large client base across Tasmania, this social business provides employment, nationally-recognised training and support for around 35 people with a disability.

It also took home the overall Leadership Excellence Award at the 2019 WorkSafe Awards, and the joint small business winner award for Excellence in developing and implementing an initiative (solution) to an identified WHS issue.

So what is the inventive journey behind St Vincent Industries’ success?

What was the problem?
St Vincent Industries’ rag-cutting machines were over 30 years old. ‘The machines were uncomfortably noisy, and they vibrated and overheated,’ explained CEO Daniel Teague. ‘They didn’t have adequate dust extraction, so workers with allergies were especially affected by the dust and needed to wear face masks. They were difficult to maintain and their condition had deteriorated over the years. They were also not ergonomically well-designed, so people often worked with poor posture.’

While they did not cause any injuries, it’s clear from this long list that the machines weren’t exactly great to use and something had to be done!

What was the process?
The story behind the new machines is as creative as St Vincent Industries’ mission to re-purpose cast-off clothing into cleaning products.
Daniel approached Dr Tony Sprent of TADTAS, which designs and makes technical aids for people with a disability. Dr Sprent saw an opportunity to challenge third year students from the University of Tasmania’s School of Engineering to develop a new machine to meet St Vincent Industries’ needs.

‘Right from the moment the University students first became involved, the process was inclusive,’ said Daniel. ‘Twelve students actually came out to our workplace for about half a day. They talked to our workers to find out what they wanted and how they could meet those needs.’

This collaborative process was not just about fixing the machines’ physical problems, said Daniel, ‘it was about our employees feeling valued, and getting their opinions heard and understood, which is important to them’.

From the submitted plans, it was unanimous that the one put forward by students Hamish Hingston and Matthew Christian the most appropriate. A prototype was manufactured and delivered to St Vincent Industries.

And that’s where the process may have ended — if it wasn’t for the enthusiasm of Hamish. Now graduated and with his own company, 2HM Designs, started with business partner Miles Mazengarb, Hamish made contact again with Daniel.

‘To his credit, Hamish really wanted to carry on this project,’ said Daniel. Over five years, Hamish regularly met and closely consulted with workers, continuing to refine his original machine, and produce a new prototype that was uniquely tailored to the needs of St Vincent Industries workers.

The resulting prototype was so good it was put into service, and Daniel said it is indistinguishable from the other machines that followed.

What was the solution?
Twenty six brand-new rag-cutting machines were designed and manufactured in Tasmania. Not only did they satisfy St Vincent Industries’ specific needs, they also met the requirements of the appropriate Australian Standards.

Another positive aspect of this story is that the new machines were fully fabricated and assembled in Tasmania, using local manufacturers and mostly local suppliers.

Along with money from St Vincent Industries’ own resources, Daniel successfully secured funding from the Tasmanian Community Fund, which provides grants to not-for-profit organisations. This meant 26 machines could be built and supplied, and were installed in 2016.

What were the benefits?
‘The new machines addressed all the issues and mean our work environment is much more pleasant for employees,’ said Daniel.

A two-stage air filter system ensures workers who once used dust masks no longer need to. Noise has been significantly reduced, as has vibration. And a new digital system means any worker can go to any machine, log in,
select their standing or sitting position, and the machine will automatically move to their pre-set ‘favourite’ position — eliminating ergonomic hazards.

An unexpected benefit has been an increase in productivity: up by 20% in Daniel’s estimation. With a quieter, cleaner work environment, workers can perform their tasks more effectively and efficiently, meaning they make and therefore sell more stock.

Now let’s talk about winning the Award…

‘When I received the email from WorkSafe inviting me to attend the Awards, it was pretty low-key. I thought oh right, we entered the Awards, they just want us to turn up,’ said Daniel. ‘So I asked our Training Co-ordinator Donna Coetzee to come along with me — you know, a free drink and something to eat maybe.’

‘Then they started to call our name out for the first category — and I thought, oh wow, we might be in with a chance!’

Being the joint category was ‘amazing’ said Daniel, but taking out the night’s top award was ‘icing on the cake’.

‘Donna and I were gobsmacked. I was stunned and elated. We popped it up on facebook as soon as we won, so the comments and congratulations started coming in straight away,’ he said.

‘And taking the news and the awards back to our staff — they were over the moon.

‘We were amongst pretty good company, against some big organisations with lots of resources, so to take out the overall award for what we achieved as a team was amazing.’

Workers at St Vincent Industries like Braydon say the new machines are more comfortable to use.
Tasmania’s rural industry

Agriculture, forestry and fishing (collectively referred to here as the rural industry) is a key part of Tasmania’s economy. Despite employing only 5% of the total Tasmanian workforce, it’s a significant contributor to our exports, estimated at over 20% of the $3.3 billion market.

Rural workforce

The majority of rural workers are in:
- aquaculture (21%)
- sheep, beef cattle and grain farming (20%)
- fruit and tree nut growing (13%).

Worker numbers are based on averages over a year, due to seasonal variances. 7% of workers are aged 65 and over, which sounds small but is still around twice the proportion statewide.

Rural injuries

There were 398 injuries across the industry in 2017.

There were 10 serious injuries per million hours worked: this is 29% higher than the state average of 7.9 serious injuries.

However, some good news: the serious injury frequency rate for rural workers in 2017 is 15% lower than it was 10 years ago.

Who reported the most injuries?:
- workers aged under 25
- sheep, beef cattle and grain farming workers
- farm, forestry and garden workers.

There were 17 work-related fatalities in the rural sector in the last ten years. This is the second highest number of fatalities of any industry, and accounts for 18% of all work-related fatalities in 2008–17.

Body stressing, falls slips and trips, and being hit by moving objects are the top three causes of injury in the rural sector.

Rural resources

Our Farming Safely in Tasmania guide is a complete overview of managing safety in rural workplaces. It includes information on common farm hazards and work, and sample policies and procedures you can use. Go to www.worksafe.tas.gov.au and search for GB322.

You can also call our Safe Farming Tasmania Consultant Phill John to arrange a free visit to your workplace. He can address any issue you or your workers have and provide practical advice that suits your specific needs. Call Phill on 0407 015 400.

WorkSafe’s Industry snapshot reports and posters, which these columns draw on:
- survey the WHS performance of each industry group
- identify emerging or existing WHS issues for evaluation and action
- compare most current WHS performance relative to previous years and, where applicable, to other industries across Tasmania.

Find your industry’s snapshot: go to www.worksafe.tas.gov.au and search for ‘industry snapshots’.
Tasmania’s retail trade industry

What can you buy in Tasmania?
With such a broad range of possible answers, it’s no wonder our retail trade industry is divided into 14 groups, which include sellers of:
- motor vehicles, motor vehicle parts and tyres, and fuel
- hardware, building and garden supplies
- pharmaceutical goods
- furniture, floor coverings and homewares.
It also includes direct mail, commission and online shopping based in Tasmania (known as ‘non-store’ retailing).
Together, supermarkets and grocery stores comprise the largest employing group, making up almost double the proportion represented by the next largest groups.

Retail workforce
The retail industry is Tasmania’s second largest employer, accounting for 12% of the state’s total workforce. 45% of retail workers are employed full time.
Half of retail workers are less than 35 years old, and this is 13% higher than the average for all industries. This industry also has a much lower number of workers older than 55 (14% compared to the all industry average of 20%).

Retail injuries
Good news: the number of injuries in the retail industry has decreased 23% between 2008 and 2017. And the number of serious injuries each year for the same period has also decreased, by about 25% (compared to 23% across all industries).
In 2017, there were 604 injuries across the industry, and 34% of these were serious injuries.

Body stressing, falls slips and trips, and being hit by moving objects are the top three causes of injury in the retail industry.

Who had the highest serious injury frequency rates?
- workers aged 45–54 year old
- workers in the motor vehicle parts and tyre retail group and non-store retailing group (despite having a low number of actual claims).

Points to note
Shift work and temporary and casual working arrangements are common and a high proportion are young workers. These factors make it important that the risks are well managed, and all workers appropriately trained and supervised.

Retail resources
If you have new and young workers, download them a copy of our Welcome to the Workplace guide. Go to www.worksafe.tas.gov.au and search for GB140.
Our September 2018 edition had an article on avoiding slips, trips and falls. Go to www.worksafe.tas.gov.au and look under the resources tab.
Quad bike safety: resources

Product Safety Australia (part of the ACCC) has published safety guidance on using quad bikes safely. The following information is an excerpt from that guidance.

**Risks and injuries**
The risk of a rollover increases if the quad bike is travelling on uneven ground or slopes, travelling at high speed, towing an attachment or carrying a heavy or unstable load. Risks of a serious incident are also increased when operators:

- are inexperienced
- carry passengers
- don’t have the physical strength to ride actively
- are under the influence of alcohol or drugs
- aren’t wearing suitable personal protective equipment such as a helmet.

**Quad bikes and children**
Children are at greater risk of serious injury and death while operating quads. Even the smaller youth quads have been involved in fatal incidents in Australia.

- Never let children ride quad bikes that are meant for adults, not even as passengers.
- Ensure children are supervised at all times near any quad bike activity.

**Prepare safe**
- Decide if a quad bike is the right vehicle for the activity.
- Make sure you’re properly trained before you ride a quad bike.
- Maintain the bike so it’s in a safe condition.
- Read the operator manual. Follow the manufacturer’s safety warnings and recommended use of the vehicle.
- Before you leave for a quad bike ride, tell someone where you plan to go and when you expect to return.

**Wear safe**
- Always wear a helmet.
- Wear protective clothing and gear such as goggles, long sleeves, long pants, boots and gloves/hand protection.

**Ride safe**
- Do not carry any passengers on quad bikes that are meant for one person.
- Quad bikes are not all-terrain vehicles so they cannot go safely on all types of terrain. Avoid riding on rough terrain or steep slopes.
- Ride on familiar tracks and beware of obstacles.
- Never ride under the influence of alcohol/drugs.
- Always carry a mobile phone or radio device so you can contact for help in case of an emergency.

**Find more resources**

WorkSafe has rounded up other quad bike resources from around the country. Go to www.worksafe.tas.gov.au and search for ‘quad bikes’.

**Quad bike stats**
Quad bikes are one of the leading causes of death and serious injury on Australian farms.

Since 2011, there have been 121 deaths associated with the use of quad bikes in Australia.

Deaths occur equally during workplace and recreational riding.

Around 15 per cent of deaths involve children.

Each day approximately six people present with an injury at an Emergency Department, of which two people are admitted to hospital with more serious injuries.

More than half of all quad bike deaths are because of rollovers.

The main causes of death by rollovers are asphyxiation, crush and head injuries.

Source: www.productsafety.gov.au
What sort of incidents must you report to WorkSafe?

In 2018, WorkSafe received over 850 incident notifications from workplaces.

You don’t need to report every incident that occurs to WorkSafe; in their caution, some workplaces are reporting insignificant injuries. So which ones must you tell us about, and how?

What to notify

Report these to WorkSafe:
• if someone dies, or
• if someone suffers a serious injury or serious illness (they require immediate hospitalisation or medical treatment), or
• if a dangerous incident occurs (for example a fire, explosion, infrastructure collapse, chemical spill or leak, electric shock).

You can find fully detailed definitions of the last two categories on the WorkSafe Tasmania website. Go to www.worksafe.tas.gov.au and choose the ‘report an incident’ button.

Electric shocks must be notified to both WorkSafe Tasmania and TasNetworks (call 132 004).

Triggers for notifying

Safe Work Australia has produced a fact sheet that lists various types of triggers for notification, and gives examples of things that are and are not notifiable.

The key trigger is that the incident arises out of the conduct of the business or undertaking.

Using this as a guide, it can be seen that something like a child at school falling over while playing sport, an elderly resident of a nursing home suffering a heart attack, or a minor motor vehicle accident will not normally be notifiable.

Think in terms of an incident being caused by:
• a failure of a process
• a fault in a piece of equipment, or
• insufficient training or supervision.

This will help your decision on notification.

This fact sheet also covers public places and sporting events. To find this fact sheet, go to www.safeworkaustralia.gov.au and search for ‘incident notification’.

What doesn’t need notifying

An incident is not notifiable just because it happens at or near a workplace. To be notifiable, an incident must arise out of the conduct of the business or undertaking.

Only work-related incidents are notifiable.

Incidents may happen for reasons that don’t have anything to do with work or the conduct of the business or undertaking. For example:
• a worker or another person suffers a heart attack while at work, which is unrelated to work or the conduct of the business or undertaking
• an amateur athlete is injured while playing for the local soccer team and requires immediate medical treatment (this is not work)
• a person driving to work is injured in a car accident (where driving is not part of their work)
• a person with epilepsy has a seizure at work.

These kinds of incidents are not notifiable.

How to notify

You can notify WorkSafe Tasmania at any time by calling 1300 366 322.

You must follow this up within 48 hours, by lodging our Incident Notice Form to WorkSafe by email, fax or mail. Find this form on our website — go to www.worksafe.tas.gov.au and choose the ‘report an incident’ button.

You must also preserve the site of the incident until an inspector arrives. However, there are exceptions to this:
• to help an injured person
• to remove a deceased person
• when it is essential to make the site safe or to reduce the risk of a further notifiable incident happening
• when it is associated with a police investigation
• when an inspector or the regulator gives permission.

Record keeping

Finally, you must keep a record of each notifiable incident for at least five years from the day that notice of the incident is given to the regulator.

There are penalties for not doing this — just as there are penalties for not telling WorkSafe about a notifiable incident.

Even without notifying

Even when WorkSafe Tasmania may not require notification, you should still investigate and where possible, implement actions to prevent a recurrence.
About workers comp:
Getting workers back to work with other duties

This is the first in a new series looking at workers compensation, return to work and injury management. If you’d like us to cover specific issues, email us at wstinfo@justice.tas.gov.au with ‘for the magazine’ in your subject line.

Focus on what the worker can do
Getting an injured worker back to work as soon as possible is good for their physical and mental health. However, depending on their degree of injury, they may not be able to return to their pre-injury work capacity.

Whatever the injured worker’s circumstances, it’s important that plans for their return to work and injury management are developed and agreed between you as their employer and the worker and their treating doctor. The focus should be on what they can do — not what they can’t do.

Providing information
As the worker’s employer or manager, you should provide accurate information about your workplace (including the nature of roles and tasks available) to the treating doctor.

This will help the doctor assess the worker’s capacity to perform work other than their pre-injury duties. This in turn achieves the best possible results for both your injured worker and your business.

The treating doctor should do more than just state ‘light duties’ on the worker’s worker compensation medical certificate.

Communicate
Effective communication is important to ensure everyone involved in the injury management process understands their roles and responsibilities.

You will also be better supported in the injury management process if you’re seen to value and take on board the views of others, especially your injured worker, by providing them with regular opportunities to have a say in decisions affecting them.

Alternative duties
Under the Workers Rehabilitation and Compensation Act 1988, where an injured worker cannot immediately return to their pre-injury duties, their employer must provide suitable and meaningful alternative duties (unless it is not reasonable or practical to do so). Alternative duties are work tasks undertaken temporarily by the worker that:

- have been identified and selected by both you and your injured worker
- that are meaningful to the worker and to your business
- comply with any medical restrictions outlined in the medical certificate and any agreed return to work plan or injury management plan.

Making it meaningful
Need help thinking of something other than photocopying for your injured worker’s duties? Want more detail than simply ‘light duties’?

Our Register of Alternative Duties in the Workplace lists activities that can help employers, workers and doctors identify what workers can safely do as they return to work. It’s listed by activity, not industry or workplace type, to help you think ‘outside the square’ and think of tasks new to the worker but ones they are certainly capable of.

You can find the form at www.workcover.tas.gov.au by searching by GB199.
Incidence rates across Australia fall

Safe Work Australia’s latest report compares WHS and workers comp performance across Australia and New Zealand. It has found the Australian incidence rate for serious claims has decreased by 16% over the last four years, and has decreased by 6% for long-term injury and disease.

The Comparative Performance Monitoring report also found:

- body stressing continues to account for the greatest proportion of injury claims in Australia (this is true for Tasmania, too)
- the agriculture, fishing and forestry industry recorded the highest incidence rate of serious injury and disease claims in Australia.

The National Return to Work survey has also been released by Safe Work Australia. This report was last compiled in 2016, and key findings two years on include:

- the vast majority (almost 93%) of all workers surveyed said they’d returned to work after their work-related injury or illness
- there was a significant increase in the proportion of unsuccessful return to work attempts (those who had to take additional time off since returning to work, due to their work-related injury or illness)
- approximately 38% of workers who had returned to work reported they worked reduced hours upon their return
- those who experienced mental illness were the most likely to work reduced hours upon returning to work (almost 54%).

In Tasmania, some positive findings include that workers were more likely than the national average to:

- be contacted by their workplace to discuss return to work
- have a return to work plan
- access the medical services required
- have their doctor discuss return to work, including possible duties and any potential barriers to return.

Resources


If you’re after Tassie-specific statistics for your industry, check out our Industry snapshots. Go to www.worksafe.tas.gov.au and search for ‘industry snapshots’.


If you work in the rural industry and need help managing safety, call our Safe Farming Tasmania Consultant Phil John today on 0407 015 400.

If you need return to work help, find our guides at www.worksafe.tas.gov.au by searching for ‘injury management’.
We’ve been running this column for two years now!

Everything we’ve covered so far has laid the foundations for a workplace wellbeing program that is well-planned and resourced; and that improves your workers’ health and your business’ safety performance and productivity, too.

We’ve already touched on how to learn what workers need and want by using surveys (our September 2018 edition), and how to get managers on board (March 2018). Find these and all previous columns by going to www.worksafe.tas.gov.au and searching for ‘magazine’.

This edition, we dive even deeper into engaging and communicating for the best results.

**Engaging with your managers**

Your senior managers may have questions about your wellbeing program, such as:

- how much time will it take to implement?
- how much will it cost?
- what’s the benefit to workers and the business?

Obviously the answers to the first two questions depend on what you plan on doing. Organising lunchtime walking groups or promoting community events on your noticeboard or in staff emails doesn’t take much time or money. Providing fruit bowls takes a bit more; and subsiding gym memberships or inviting guest speakers into your workplace takes more again.

Gather your costings and some research on the benefits of wellbeing programs. Start with our 2017 columns, which cover the links between wellbeing and safety and business performance, and include convincing stats.

**Align with business needs**

Make sure your program aligns with your organisational goals, vision and culture. Maybe your business has a statement or plan that captures these and that you can build on.

Could your wellbeing program solve a business problem? Maybe your company is finding it difficult to attract or retain workers. A wellbeing program can be attractive to potential and current workers alike. It can also help workers be ‘fit for work’, therefore improving safety performance and reducing absenteeism and injury rates.

Talking about these benefits may be a good way to engage with your senior managers. We have a template you can use to gather your thoughts: go to www.worksafe.tas.gov.au and search for ‘proposal to senior managers’.

If you’ve been using our WorkSafe Advisors to help build your program, they can also meet with your managers to answer any questions.

**Engaging with your workers**

It’s likely that any workers already exercising regularly, eating healthily or improving their health in other ways will jump on new workplace-based opportunities to further invest in their wellbeing.

Your program can benefit from their enthusiasm: they can encourage others to join in and take up a new activity while they are ‘stuck at work’.

Your challenge will be to engage and ‘activate’ workers who may be reluctant to participate. Maybe they think they need to be fit to start with, or that they’ll get too sweaty for work hours, or their boss won’t let them take time to join in.

If so:

- make sure everyone knows your managers support the program. If managers are vocal in their support — or even better, join in — it will give others ‘permission’ to take part, too
- make sure workers contribute their ideas to the program. Hopefully you’ve surveyed their needs, and maybe you’ve set up a working group of representatives to come up with ideas and help plan and implement activities. Once things are rolling out, get workers’ feedback to find out what is working and what can be improved
- tell people ‘what’s in it for them’. Outline the health benefits they should see by going for a walk (or run or bike ride) at lunch, giving up smoking, eating a banana from the fruit bowl, or learning how to meditate with a guest speaker
- invite family and community members to take part in your events. Some workplaces go for walks after work, and this may be perfect for friends and family to join. This will increase participation and interest
Build a wellbeing program: Engage for success

• have your facilities in order. Have somewhere for people to change their clothes, stash their sneakers, and freshen up after a lunchtime workout.

How to communicate
How you communicate with your workers depends on the size of your workplace and business. If it’s small, you can probably easily talk to workers personally and at staff meetings, and sticking up colourful reinforcement posters may be all you need to do. Larger workplaces or those spread across different locations may want to build on these with emails or newsletters.

Make sure you reach and cater to everyone, regardless of whether they’re full-time or part-time, if they work shifts, or if they work in the field or on the road.

Engaging with others in your workplace
Depending on the size and structure of your workplace, you may want to consult with:
• your health and safety committee and/or representative
• your human resources department
• relevant unions
• your workers compensation insurer.

Welcome to another instalment of this regular column, where over the past three years we’ve helped you build a safety management system.

This edition we’ll look at creating a WHS risk management program, an important part of your safety system.

What’s a risk management program?
This is where you document your methods for reducing risk through identifying hazards, assessing their risk, and developing risk control measures.

These control measures need to use the hierarchy of controls, a ranking of most effective control measures through to the least effective. Your control measures may need to include legal requirements around certain hazards, equipment or processes.

You need to create a plan that lists the hazards and risks you need to address, and how and when you’ll do so.

Your program (and its related plan and procedures) must also be regularly reviewed and evaluated to ensure it stays effective and up to date.

There’s a code for that
If you need to understand and ‘do’ risk management in your workplace, get the code of practice How to Manage Work Health and Safety Risks. It explains how to identify hazards and assess their risks, and walks through the hierarchy of control and developing effective control measures. It also explains how and when to review and evaluate.

Find it at www.worksafe.tas.gov.au by searching for CP112.

Other sources
There may be other sources of information to help do your risk management:
• codes of practice that are specific to tasks done at your workplace
• industry and technical standards
• suppliers or manufacturers of equipment or chemicals (for example, safety data sheets).

Document it
So now, document your risk management procedures: how you have (and will continue to) identify hazards, assess risks, and control those risks for the various activities across your business. Document how you’ve applied the hierarchy of controls. Your records should include:
• a risk register (find a sample and how-to information in the code of practice How to Manage Work Health and Safety Risks)
• any job safety analyses or similar tool
• your plan with priorities, actions and timeframes/schedules (including review dates)
• records of our staff consultation and involvement, and any related training
• records of reviews and evaluations
• sources of your information.
De Bruyn Cold Storage Pty Ltd was prosecuted and fined $60,000 after a visiting client suffered serious crush injuries and compound fractures to her lower leg when a forklift truck ran over her foot.

What could have been done?

WorkSafe Tasmania investigated the incident and found that De Bruyn could have:

- had a policy in place that was enforced and required visitors to be escorted when walking in cool stores; escorts not to operate plant or do any other tasks while escorting visitors; and pedestrians not to be near operating forklifts
- found out from the visiting client or her supervisor the level of training they had received, and whether she had been inducted to site by her own employer
- given the visiting client a specific direction that she was not to leave the area where she was first taken.

The charges

De Bruyn’s Cold Storage Pty Ltd was charged with:

- failing to comply with a health and safety duty which exposed an individual to a risk of serious injury or illness (section 32 of the Work Health and Safety Act 2012)
- failing to ensure plant does not collide with pedestrians or other mobile plant (regulation 215(4) of the Work Health and Safety Regulations 2012).

De Bruyn’s pleaded guilty.

The verdict

De Bruyn’s Cold Storage Pty Ltd was convicted and fined $60,000.

Safe Work Australia has released its final report after its review of the model WHS laws.

‘Safe Work Australia is committed to ensuring the model WHS laws are as effective as possible to keep Australian workers healthy and safe and will continue to conduct regular reviews,’ said Diane Smith–Gander, Chair of Safe Work Australia.

‘The model WHS laws are largely operating as intended, but I am recommending some changes to provide clarity and to drive greater consistency in the application and enforcement of the laws across jurisdictions,’ said independent reviewer Marie Boland.

‘The three-tier legal framework is widely supported, and there is a view that it is sufficiently flexible to accommodate the evolving nature of work and changing work relationships.’

The report includes 34 recommendations to enhance the WHS framework. Key recommendations relate to the model WHS Regulations and codes of practice. These include:

- regulations on psychological health
- higher penalties and other measures to strengthen the compliance and enforcement framework and enhance deterrence
- clarifying requirements for meaningful WHS consultation, representation and participation to improve safety outcomes.

The report is with WHS ministers for consideration and their response to the recommendations is expected later in the year.

Heart to heart

National Heart Week is held in May, so let’s start planning the ways you can focus on heart health in your workplace wellbeing program.

About heart disease

Heart disease is the single biggest killer of Australians, according to the Heart Foundation. The federal Department of Health (www.health.gov.au) agrees, saying cardiovascular disease — a term covering coronary heart disease, heart failure, cardiomyopathy, stroke and other conditions/diseases — is a leading cause of death in Australia.

There are some things you can’t change: your genetic predisposition and sadly, ageing!

But there are plenty of risk factors you can modify: smoking, not getting enough physical activity, poor diet and excessive alcohol consumption. High blood pressure, high blood cholesterol and being overweight/obesity also play a major role.

How a wellbeing program can help

Heart health can be improved by eating healthily, getting regular exercise, quitting smoking, and looking after your mental health and social connections.

If you already cover these in your workplace wellbeing program — for example, with seminars on healthy eating and stress management, co-ordinating exercise groups, and supporting quit smoking programs — you’re helping your workers boost their heart health.

If you don’t have a workplace wellbeing program yet, why not use National Health Week in May to kickstart conversations and activities around healthy eating, exercise, and smoking. You could hold a morning tea with heart-healthy foods or have a lunchtime walk.

Resources

The Heart Foundation’s website has loads of information to help people take control of their heart health.

It also has dedicated resources for workplaces: guides, toolkits, posters and more to help you create a healthier workplace and contribute to improved heart health for everyone. Some resources cover wellbeing programs, others address specific topics like healthy workplace catering and increasing exercise levels in the workplace.

Go to www.heartfoundation.org.au and search for ‘workplaces’.

NBN + lift phone services

Has the NBN been rolled out in your area? Your building’s fire alarms and lift phones may no longer work.

Lift phone services are safety critical, and there is a serious risk to public safety if they don’t operate in an emergency situation.

Building owners, managers and bodies corporate are responsible for ensuring lift phone services are operational and comply with relevant regulations.

What to do if you have a lift phone service

The Australian Government has a one-page fact sheet that includes step-by-step recommendations to follow if you think your lift phone service may be affected.

Go to www.communications.gov.au and search for ‘lift phone services’.
Are your clothes safe?
WorkSafe has been alerted to incidents where tradies using angle grinders have suffered abrasions and cuts to their faces after cords on their hoodies became entangled in the equipment.

This is a good reminder to check your workplace for risks of workers’ clothing being caught in moving plant and equipment.

Consult with your workers to make sure their clothing does not have any loose or dangling cords or drawstrings. Ideally, workers would not start work wearing clothing with these or with loose sleeves, shoe laces or ties. If this can’t be avoided, work out ways to securely fasten them.

You may want to then update your safe work procedures and train your workers in the changes (make sure the procedure is included in your induction toolkit too).

Procedures, training and supervision are important — but removing the hazard in the first place is the best option.

Bullying is a psychosocial hazard. Other psychosocial hazards include work-related stress, fatigue, work overload, conflict and aggression. These hazards — and the risks to someone’s psychosocial health — should be approached in the same way as other WHS hazards.

So you can and must prevent and manage workplace bullying like other workplace hazards, by:

- identifying its presence or potential
- putting control measures in place to prevent or manage it
- putting planning, resources and systems in place: for example, policies, procedures, consultation and training.

The effect on people
Workplace bullying is a risk to WHS because it may affect the mental and physical health of workers. It can be harmful to the person experiencing it and to those who witness it. The effects will vary and may include:

- distress, anxiety, panic attacks or sleep disturbance
- physical illness such as headaches, fatigue, digestive problems and muscular tension
- negative impact on work performance, concentration and ability to make decisions
- loss of self-esteem and feelings of isolation
- deteriorating relationships with colleagues, family and friends
- depression
- thoughts of suicide.

The effect on business
Workplace bullying can also have a negative impact on your work environment. It can damage the reputation of your business, incur direct and indirect costs for your business, and lead to:

- high staff turnover and associated recruitment and training costs
- increased absenteeism
- lost productivity
- disruption to work when complaints are being investigated
- costs for counselling, mediation and support
- costly workers compensation claims or legal action.

Who’s responsible
Everyone in a workplace should be treated fairly and with respect.

Everyone at the workplace has a WHS duty and can help ensure workplace bullying does not occur:

- PCBUs should be proactive in meeting their duty of care to reduce the risk of unacceptable behaviours occurring in their workplace
- workers should be aware of their duty of care not to bully others in the workplace.

Failing to take steps to manage the risk of bullying can result in a breach of the WHS laws.

This is an excerpt from our guide How to prevent and respond to workplace Bullying. Find it at www.worksafe.tas.gov.au by searching for GB374.
SAFETY

Listen to your workers

Most importantly, your workers will offer the most valuable insights. They know what causes them mental harm, and will have ideas about how to most effectively address the dangers to their mental health.

Resources

Safe Work Australia has a guide for employers and workers called Work-related Psychological Health and Safety: A Systematic Approach to Meeting Your Duties. This guide describes how to build a psychologically healthy and safe workplace by identifying, assessing and controlling risks to workers’ mental health.

Go to www.safeworkaustralia.gov.au and search for ‘psychological health and safety’.


Managing mentally healthy workplaces

You can manage mental health in your workplace just as you do any other hazard.

The cost

Poor psychological safety costs Australian organisations $6 billion each year in lost productivity. This is because psychological injuries typically require three times more time off work than other injuries.

Workplaces with poor psychological working conditions accrue 43% more sick days each month.

The causes

Work-related psychological injury can be caused by excessive time pressures, unreasonable deadlines and poorly managed organisational change.

Conflict between people, harassment and bullying, and exposure to occupational violence are also critical causes of work-related mental injury.

In Tasmania:

- 500 people are compensated for work-related mental health conditions each year. 61% are female
- 90% of serious work-related mental health condition claims are due to work-related mental stress
- health care and social assistance workers reported the most mental health condition injuries in 2018 (34%)

Nationally:

- the occupations most at risk are defence force members, fire fighters and police; followed by school teachers; then health and welfare support workers
- 58% of all mental health claims are by women.

Prevent it

You can prevent work contributing to workers becoming ill by taking preventative action and intervening early.

Identify the hazards to good mental health, assess how severe the risks are, and take steps to eliminate and control the risks.

Look for and respond to early warning signs and incidents: for example, an increase in unplanned absence, uncharacteristic behaviour and workplace conflict are all clues that things aren’t quite right.
Q&A: Long service leave

What long service leave legislation is there in Tasmania?
There are long service leave provisions in these Tasmanian acts:
• Construction Industry (Long Service) Act 1997 (TasBuild Portable Long Service Scheme) covers most workers in the Tasmanian construction industry
• Long Service Leave (State Employees) Act 1994 covers Tasmanian State Government workers
• part 7 of the Local Government (Building and Miscellaneous Provisions) Act 1993 covers council workers
• Long Service Leave Act 1976 covers workers not included in other state or federal legislation.

If you have a federal award or agreement that refers to long service leave, you should contact the Fair Work Ombudsman on 13 13 94 or go to www.fairwork.gov.au.

The answers to the following questions relate to the Long Service Leave Act 1976. The answers to the questions for the other legislation (listed above) are likely to be different. Please phone our Helpline on 1300 366 322 if you require information on those other Acts.

How many years must I work before I can take some long service leave?
To have an entitlement to take long service leave, you must be continuously employed for ten years. After ten years you’ll receive an entitlement of 8.66667 weeks of leave. A further 4.33333 weeks becomes available at each five year anniversary of starting your employment.

Mining employees are entitled to 13 weeks leave for each 10 years of service.

Can I ‘cash in’ my long service leave?
An employee who reaches 10 years of continuous service may, by agreement with the employer, elect to accept payment in lieu of the period of long service leave. By agreement, an employee may also take a mixture of cash and leave.

What long service leave records must employers keep?
Employers must keep long service leave records with these details:
• their name and address
• each worker’s name, address and position
• the date each worker’s employment began
• details of any additional period of employment to be served, due to an absence or interruption that does not count towards ‘continuous employment’
• the end date of the qualifying period, after allowing for any additional period(s) required to be served
• details of leave the worker has taken: start and finishing date, number of days taken, amount paid and method of payment
• details of termination of the worker’s employment: date, reasons, and rate of ordinary pay at the date of termination.

Accurate records are important, particularly if there’s any dispute. If a business is sold from one employer to another, then the staff records need to be transferred from the old owner to the new.

Am I entitled to long service leave if the business I work in is sold?
Sometimes an employer will terminate their worker’s employment when they sell a business and tell their workers they are being paid all their entitlements. However, this should not affect a worker’s long service leave entitlements provided they are re-employed by the new owner, in substantially the same type of business within two months (in most cases they begin the next day). The time already served with the first employer would count towards their ten year continuous employment qualification period mentioned above.

What is the long service leave entitlement for an employee who leaves their job after being continuously employed for over 10 years?
First check your award or agreement with the Fair Work Ombudsman by calling 13 13 94 (or go to www.fairwork.gov.au) as it may contain a long service leave provision.

If not, and the Tasmanian Long Service Leave Act 1976 applies, you’re entitled to receive a payment based on your years of service and calculated using the ratio of 8.66667 weeks of leave payment per 10 years of continuous service. Any weeks you have already taken need to be deducted.

(As noted above, mining employees are entitled to receive a payment based on 13 weeks for each 10 years of service, less any leave previously taken.)

Example: An employee continuously employed for 13 years 6 months and 14 days, resigns (for any reason) or is terminated by the employer (for any reason). They are eligible for payment of all their accrued long service leave on termination.

The calculation is as follows:
(13.53867 years ÷ 10 years) x 8.66667 weeks = 11.7352 weeks

Each of these weeks has in it the hours you are currently working each week. If your hours vary then they are averaged over the last 12 months.

Does work as a casual count toward long service leave?
Yes, a period of employment as a casual counts towards your ten years of continuous employment provided you have been continuously employed for at least 32 hours in each successive four week period since you began (an average of 8 hours a week). Workers can also change their type of employment (for example, from part time to casual to full time, or full time to casual or part time) and still qualify for long service leave, provided their service is continuous.

Do I have an entitlement if I leave before completing 10 years’ service?
Workers may have an entitlement to a payment for pro rata long service leave if employment terminates after at least seven years of ‘continuous employment’. The payment of a pro rata entitlement is not automatic and is only available in certain circumstances. For more information, see our Guide to the Long Service Leave Act 1976 at www.worksafe.tas.gov.au (search for ‘GB360’).

While I was on long service leave I was ill. Can I claim sick leave for this and have my long service re-credited?
Unfortunately the Long Service Leave Act 1976 makes no provision for this.
Everybody’s Talking...
Questions and answers from our Helpline

Do I have to tell my employer I’ve been injured at work, even if I don’t want to make a workers comp claim?
Yes, you must tell your employer as soon as possible after suffering a workplace injury or disease, regardless of whether you intend to make a workers rehabilitation and compensation claim or not.

Not only is recording incidents a useful tool in risk management, but some injuries may seem minor at the time, then require medical treatment days or even weeks later.

Most workplaces have an incident report form or book for this, but you can notify your employer verbally.

What happens next? Within 14 days of telling your employer about your injury or disease, your employer must:
• give you a Notice of Right to Make a Workers Compensation Claim and
• tell their insurer within three working days that an injury has occurred.

If you do decide to make a claim, it’s up to you to:
• tell your employer you want to make a claim
• ask your employer for a Workers Rehabilitation and Compensation Claim Form (which they get from their insurer); they must supply it to you and must not obstruct you from making the claim.

Do I need a security fence around my construction site?
The Helpline is often asked this by principal contractors/builders. The answer is: quite likely!

Regulation 298 (1) says that the person with management or control of a workplace where construction work is being carried out must ensure, so far as is reasonably practicable, that the workplace is secured from unauthorised access.

The words ‘reasonably practicable’ allow some flexibility when considering the fencing options for your construction site. Your first step is always to conduct a risk assessment of the site.

WorkSafe Tasmania’s guidance note ‘Making housing construction sites secure against unauthorised public access’ provides practical advice on this matter. It also includes a useful checklist for safety and security fencing.

To read this guidance note, go to www.worksafe.tas.gov.au and search for ‘GN051’.

What precautions should I take with my LP gas cylinders in event of a bushfire?
• Ensure the area around the tank or cylinder is free from all flammable materials and away from potential ignition sources.
• Ensure that household or portable cylinders are not stored indoors, under buildings or stairwells.
• Ensure that cylinders are in an upright position and secured on a firm level non-combustible base.
• Ensure that safety pressure relief valves of tanks and cylinders are directed away from the building and each other.
• Turn off all gas appliances.
• Turn off cylinder or tank supply/isolating valve(s).
• DO NOT cover the cylinders with wet material to keep cool, as the material may dry out and become combustible.
• If the cylinders are exposed to heat, AND IF ONLY SAFE TO DO SO, hose them down with water to reduce the pressure building up inside the cylinder.

Find more information at www.worksafe.tas.gov.au by searching for ‘LPG’.

National review into silica
Safe Work Australia has provided reports and recommendations on respirable crystalline silica and respirable coal dust for public comment.
While public comment for these closed 30 April, you can still find the information at engage.swa.gov.au under the heading of Workplace exposure standards review.
Safe Work Australia will also be seeking public comment throughout 2019 on the Workplace exposure standards for airborne contaminants list. Bookmark the engage.swa.gov.au site.
Have a close look. Workplace hazards are often hard to spot, and not all of them are about physical safety. We keep our bodies safe at work. Let’s keep our minds safe too.

Find out who they are at worksafe.tas.gov.au

Can you spot the people who aren’t safe?

Safety is everything.