



OCCUPATIONAL HEALTH AND SAFETY IN **HOSPITALITY**

Supervisors training manual

March 2003





This document is the result of extensive consultation with industry and the efforts of a number of organisations and individuals and in particular the contribution of the Hospitality Safety Alliance in the production of this document should be acknowledged.

Disclaimer

This publication contains industry recommended action or information regarding occupational health, safety, injury management or workers compensation. It includes some of your obligations under the various Workers Compensation and Occupational Health and Safety legislation that WorkCover NSW administers. To ensure you comply with your legal obligations, you must refer to the appropriate acts. This publication may refer to WorkCover NSW administered legislation that has been amended or repealed. When reading this publication you should always refer to the latest laws. Information on the latest laws can be checked at www.nsw.gov.au or contact 02 9238 0950 or 1800 463 955 (NSW Country only).

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MODULE 1

OHS

LEGISLATIVE FRAMEWORK

THE NSW OCCUPATIONAL HEALTH AND SAFETY ACT 2000 AND THE OHS REGULATIONS 2001

Employers and employees have a duty of care to all people in NSW workplaces with regard to health, safety and welfare at work. This duty of care is outlined in the NSW Occupational Health and Safety Act 2000 (NSW OHS Act). The NSW OHS Act describes the responsibilities of employers, employees, designers, manufacturers, suppliers and importers.

The NSW OHS Act is the overriding legislation that covers all NSW workplaces and describes the general requirements that will ensure a healthy and safe workplace. It is designed to reduce the number of injuries and illnesses in the workplace as well as increase Community awareness of OH&S Matters.

The NSW OHS Act provides a framework in which employers and employees can address health, safety and welfare issues through consultative processes. WorkCover NSW administers the legislation through a range of services. The Department of Mineral Resources also administers the NSW OHS Act as it applies to mines.

Before the NSW OHS Act, numerous pieces of legislation existed. Previous legislation was developed on an ad-hoc basis and was very prescriptive. While prescriptive legislation specified how to prevent injury and illness in detail, it was limited in that it did not cover all circumstances, workplaces or workers.

This prescriptive approach produced legislation that failed to adequately cope with changing processes, new or emerging hazards and improvements in the application of technology. Legislation was difficult to access and complex to manage which led to inconsistencies between workplaces and industries. The focus on minimum compliance through the prescriptive approach, failed to encourage best practice applications or flexible outcomes tailored to circumstances.

In 1979, Mr T. G. Williams, Industrial Magistrate, led a NSW Government Commission of Inquiry into the effectiveness and social relevance of occupational health and safety laws. In 1981, recommendations were put forward and the current NSW OHS Act was developed. This legislation imposes duty of care responsibilities and outlines broad objectives to achieving health, safety and welfare in NSW workplaces.

OBJECTIVES OF THE NSW OHS ACT 2000

The main objectives of the NSW OHS Act can be summarised as follows:

- a) to secure and promote the health, safety and welfare of people at work
- b) to protect people at a place of work against risks to health or safety arising out of the activities of persons at work
- c) to promote a safe and healthy work environment for people at work that protects them from injury and illness and that is adapted to their physiological and psychological needs
- d) to provide for consultation and co-operation between employers and employees in achieving the objects of this Act
- e) to ensure that risks to health and safety at a place of work are identified, assessed and eliminated or controlled
- f) to develop and promote community awareness of occupational health and safety issues
- g) to provide a legislative framework that allows for progressively higher standards occupational health and safety to take account of changes in technology and work practices
- h) to protect people (whether or not at a place of work) against risks to health and safety arising from the use of plant that affects public safety.

DUTY OF CARE RESPONSIBILITIES UNDER THE NSW OHS ACT 2000

Section 7	In the OHS Act 2000, risks arising from work refer to the manner of Conducting and undertaking work, the plant and substances used for the work as well as the conditions of premises the work is undertaken in.
Section 8	Employers must ensure the health, safety and welfare at work of employees by providing safe entry and exit, safe plant and substances, safe systems of work, equipment, supervision, information and education.
Section 9	Self-employed people must ensure the health, safety and welfare of people other than their employees.
Section 10	People in control of workplaces, plant or substances used by non-employees must ensure their health and safety.
Section 11	Designers, manufacturers, suppliers and importers of plant and substances must ensure that their products are safe and without risk to health when properly used.
Section 20	Employees must cooperate with the employer and not risk their own or any other person's health, safety and welfare.
Section 26	As part of the management of a corporation, directors, managers and supervisors are identified as being responsible for health and safety.

SUMMARY OF OTHER KEY SECTIONS OF THE NSW OHS ACT (2000)

Section 22	Employees do not have to pay for anything required to ensure health and safety.
Division 2	OHS Committees must be established in certain circumstances (<i>see OHS Consultation and Communication section</i>) and are given certain functions and powers.
Section 23	Employers must not dismiss or otherwise penalise employees for making OHS complaints or for being a member of an OHS committee.
Regulation 2001	In certain circumstances, accidents, proposed work or hazardous activities must be notified to WorkCover NSW.
Part 4	Approved industry codes of practice may be formulated and prepared in order to provide practical guidance to the NSW OHS Act.
Section 28	Defences are available under the NSW OHS Act. It must be shown that it was not reasonably practical to comply or that the employer had no control over the causes and was unable to plan for them.

REGULATIONS

Regulations are made under the NSW OHS Act and contain provisions for specific aspects of health, safety and welfare. They provide more detail than the NSW OHS Act itself and support its general requirements.

Regulations are law and are referred to in Part 3 of the NSW OHS Act.

The NSW Governor can make regulations regarding any matter required or prescribed by the NSW OHS Act or any matter thought necessary to assist in implementing the objectives of the NSW OHS Act.

A regulation can apply, adopt or incorporate other relevant references where appropriate. A regulation will quite frequently 'call up' or adopt a standard as the basis of the regulation. This means that the information contained in the standard becomes law. (eg. In the NSW OH&S regulations 2001 parts relating to Manual Handling 'calls up' the National Standard for Manual Handling [NOHSC: 1001 (1990)] developed by Worksafe Australia).

WorkCover NSW and Parliamentary Counsel develop OHS Regulations. Other statutory authorities and government departments also work with Parliamentary Counsel to develop regulations pertaining to their area of responsibility. (eg. The Roads and Traffic Authority (RTA) can assist in the development of legislation relevant to roads and traffic matters).

OHS REGULATION 2001

WorkCover NSW has recently released the OHS Regulation 2001. This has rationalised and amalgamated all associated legislation and regulations under the NSW OHS Act into one piece of legislation. It comprises numerous chapters (such as risk management, workplace committees, working environment, plant, hazardous substances etc) that will provide standards and outcomes in relation to an area of work, industry or type of hazard.

The OHS Regulation 2001 will not be prescriptive. It adopts a risk management approach. Risk management involves the identification, assessment and control of all areas of risk in an organisation. The risk must be managed systematically in response to the outcomes of the assessment process.

This approach will be supported by approved industry Codes of Practice, Australian Standards and combined Australian/New Zealand Standards, to encourage continual improvement in health, safety and welfare outcomes.

The OHS Regulation 2001 allows for new chapters to be quickly and efficiently inserted into the legislation. This document will simplify the way in which we access OHS information, reduce duplication and minimise confusion for users of the legislation.

APPROVED INDUSTRY CODES OF PRACTICE

An approved industry code of practice provides practical guidance and advice on how to achieve the standard of health, safety and welfare required by the NSW OHS Act and Regulations. Codes of practice are developed through consultation, involving industry, employee and employer representation, special interest groups and government representation.

An approved industry code of practice is not law, however, it should be followed unless there is an alternative course of action that achieves the same or better standards of health, safety and welfare in the workplace.

Employers, employees, manufacturers, suppliers and importers should use an approved industry code of practice in conjunction with the NSW OHS Act and Regulations. When a person or organisation has failed to ensure workplace health, safety and welfare, an approved industry code of practice can be used as evidence in the case for prosecution.

WorkCover NSW Inspectors can cite an approved industry code of practice when issuing improvement or prohibition notices. This means that a person or organisation must follow the advice and information provided in the code to correct an alleged breach of the NSW OHS Act or Regulations. Used in this way, and as an educative tool, approved industry codes of practice support the preventive focus of the NSW OHS Act.

The Minister for Industrial Relations approves an approved industry code of practice. It comes into effect on the day that the notice of approval is published in the NSW Government Gazette or on the date specified in the notice.

STANDARDS

Standards establish acceptable minimum levels or certain requirements relating to a range of issues. These include quality, performance, construction design, endurance, time specificity, systems or processes and certain hazards and controls. Standards can arise out of commonly adopted practices in certain industries, agreements between management and workers, or because of recommendations from advisory bodies.

Specifications for a range of equipment, products and materials ensure they are safe and of good quality. If they meet the requirements of relevant standards, they carry the 'standards mark'.

Worksafe Australia (*officially called the National Occupational Health and Safety Commission*) and Standards Australia develop standards for reference by Australian employers and employees.

Standards developed by Worksafe Australia, Standards Australia or under the Active Cooperation Agreement (in conjunction with New Zealand) use an abbreviation of their organisation's name (ie. NOHSC, AS or AS/NZS) and an identifying number, year and title to enable easy access to required documents.

Standards reflect the latest scientific and industry experience and are kept under continuous review to take account of changing technology.

GUIDANCE NOTES

Guidance notes are explanatory documents issued by various organisations including WorkCover NSW, Worksafe and Standards Australia. They provide detailed information to further support the various requirements of legislation, codes and standards.

SAFETY ALERTS

Safety Alerts emphasise dangers in relation to a specific risk for a particular job. The Safety Alert highlights the hazard, provides background information and then makes recommendations or suggestions on how to control the hazard.

Some examples of Safety Alerts used in the hospitality industry include:

- SA 93/11 'Injury highlighting dangers of automatic doughnut making machine'
- SA 4039 'Methylated spirits causes kitchen fire risk'

WORKCOVER NSW

WorkCover NSW is the statutory authority responsible for workplace health, safety and welfare in NSW. WorkCover 's mission is to work in partnership with the NSW community to achieve safe workplaces, effective return to work and security for injured workers.

WorkCover NSW administers OHS and compensation (including rehabilitation) legislation. Services include information, advice, education and training, technical expertise and enforcement.

Within the NSW Government structure, WorkCover NSW is the responsibility of the Attorney General and Minister for Industrial Relations. A Board of Directors oversees WorkCover NSW. The Board of Directors comprises of; the General Manager of WorkCover NSW and six part-time members appointed on the recommendation of the Minister.

In general:

- the Board of Directors is responsible for determining the policies of WorkCover NSW
- the General Manager controls and manages the affairs of WorkCover NSW in accordance with the policies of the Board
- the Board of Directors and the General Manager are subject to Ministerial control and direction.

WorkCover NSW Inspectors

WorkCover NSW Inspectors have a dual purpose. Firstly, they help employers and employees to understand their rights and obligations under OHS and workers compensation legislation and secondly, they have powers to enforce compliance with the legislation.

Inspectors visit workplaces to:

- investigate an accident and/or a breach of OHS legislation
- respond to complaints from workers, OHS committee members and unions
- give advice and information to management, workers, OHS committees and unions
- conduct random workplace inspections
- target specific hazards as part of particular risk management campaigns
- resolve workplace OHS disputes.

Inspectors have the power to:

- enter any premises they believe are a place of work, with or without notice, at any hour when work is usually conducted
- make searches, inspections, examinations and tests or take samples for analysis
- dismantle or take any plant or thing believed to be used in the commission of an offence
- obtain necessary assistance and facilities from the person or company under inspection
- inspect and take copies of extracts of any records
- issue investigation notices providing them with time to investigate any matter for a period of 7 days.
- issue improvement notices, requiring employers to correct unsafe working conditions or hazards
- issue prohibition notices, which prohibit work until a hazard is fixed
- obtain proof of compensation insurance
- issue infringement notices (on-the-spot) fines for breaches of the OHS legislation
- collect other evidence and recommend prosecution
- request police assistance if required.

WorkCover NSW Inspectors are located in numerous offices throughout NSW and may be contacted through the closest WorkCover NSW office or through WorkCover NSW Information Centre (131 050) referral.

Improvement Notices

Improvement Notices are issued for any hazardous situation where there is no immediate risk and in the opinion of the Inspector, a Prohibition Notice is not justified. It must be based on a breach of the NSW OHS Act or Regulations.

An Improvement Notice must specify:

- the WorkCover NSW Inspector's opinion that a person is contravening or has contravened the NSW OHS Act or Regulations, or is likely to continue or repeat the contravention
- the reasons for their opinion
- the section of the Act or Regulations the contravention relates to
- information about obtaining a review of the notice.

An Improvement Notice provides a specified time period within which the employer must take corrective action to fix the hazardous situation. It can include directions on the measures to be taken; either by use of approved industry codes of practice or by other corrective actions.

If an employer does not comply with the Improvement Notice, they are in breach of the Penalty Notices Regulation (1996) as well as the section of the Act or Regulation that has been nominated in the Improvement Notice.

Improvement Notices can be issued in many circumstances. Some examples include:

- inadequate safety signs (eg. Emergency Exit, Hearing Protection Area)
- poor lighting which restricts vision of floors and hazards
- fire extinguishers not tagged correctly.

Prohibition Notices

Prohibition Notices are issued when an Inspector determines that there is a serious risk, which needs urgent attention. They are issued for any work that involves or will involve an immediate risk to health, safety and welfare of any person.

This notice may be issued to an employer or any person that has control over the activity posing the serious risk. The hazardous activity must be stopped immediately and not recommenced until the risk is eliminated or controlled.

A Prohibition Notice remains in effect until the hazardous situation or matter has been corrected. If an employer does not comply with the Prohibition Notice, they are in breach of the Penalty Notices Regulations (1996) as well as the section of the Act or Regulation that was nominated in the notice.

Prohibition Notices can be issued in many circumstances. Some examples include:

- use of unguarded kitchen machinery (eg. slicers)
- not disconnecting electricity (eg. risk of electrocution through contact with live wires)
- clear evidence of an impending dangerous occurrence.

Infringement Notices (On-the-spot fines)

On-the-spot fines may be issued without notice although an Improvement Notice usually accompanies them. They are issued for breaches of the legislation in order to penalise individual infringements without prosecution. This streamlines the administration of less serious offences and minimises prosecution delays.

On-the-spot fines may be paid as stipulated within twenty-one days, or the matter may be dealt with in court. This process is similar to that of electing to go to court over a traffic offence.

The amount of the fine depends on the penalty points specified under the NSW OHS Act. On-the-spot fines range from \$55 for an employee to \$550 for an employer or a person in control.

On-the-spot fines can be issued in many circumstances. Some examples include:

- worker not wearing personal protective equipment (eg. hearing protection when mowing lawns)
- safe use of equipment not being enforced by the supervisor
- fire escape not maintained in good condition or free from obstructions
- employer not keeping a register of injuries
- employer not providing information about workers compensation.

Investigation Notice

An inspector can issue this notice when he needs to secure an area to undertake an investigation, or until the area is made safe. When this notice is issued it lasts for 7 days and can be re-issued after this time.

This notice secures the area as detailed by the inspector, meaning no work can be undertaken, while the investigation into the accident or matter is resolved.

Non-disturbance Matter

The act outlines incidents that are Non-disturbance incidents. This is an incident that requires immediate notification to the WorkCover Authority, as well as securing the scene of the incident for a distance of 4mtrs for a minimum of 36 hrs or unless otherwise advised by WorkCover.

Types of non-disturbance incidents are death, amputation, person being placed on life support.

Prosecutions

When there is a failure to comply with Improvement or Prohibition Notices or where there is a flagrant and deliberate breach of OHS responsibilities, prosecution may be necessary. The prosecution process involves the collection of evidence to form the basis of a court case against the person or company allegedly breaching the NSW OHS Act or Regulations.

A successful prosecution under the NSW OHS Act and Regulations amounts to a criminal offence, which can result in monetary penalties and/or prison sentences imposed by a court. Fines are paid into the State Government's consolidated revenue, although there is often a moiety to WorkCover NSW. This means that a portion of the fine money is allocated to WorkCover NSW to assist with general preventive and enforcement actions. If a person is convicted of an offence under the NSW OHS Act or Regulations, they can also be ordered to pay costs relating to the prosecution.

In addition to the penalty, the court can order that steps be taken to correct the cause of the offence. An order such as this would provide a specified period in which to comply. Failure to comply without reasonable excuse would result in additional penalty.

Prosecution under the NSW OHS Act and Regulations can be instituted only with the written consent of the Minister or their prescribed officer, by a WorkCover NSW Inspector or by the Secretary of an industrial organisation. The industrial organisation needs to be registered under the Industrial Relations Act (1996) and concerned in the matter to which proceedings relate.

Usually a prosecution must be commenced within two years of the alleged offence. However, there are some exceptions to this:

- designers, manufacturers and suppliers of plant and substances under Section 18 of the NSW OHS Act may have proceedings instituted against them within six months of WorkCover NSW first becoming aware of the alleged offence
- proceedings regarding notification of accidents under Section 27 of the NSW OHS Act also have a time frame of six months of WorkCover NSW first becoming aware of the alleged offence
- if a coroner's inquest or inquiry finds an offence under the NSW OHS Act and Regulations, the prosecution can commence two years from the date of the report or conclusion of the inquest or inquiry.

Proceedings may be dealt with in the Local Court or in the Industrial Court. This is largely determined by the nature of the offence and expected maximum penalties. The maximum penalties that can be imposed by the Local Court are up to 500-penalty units or two years gaol or both. A penalty unit currently has the monetary value of \$110.

The Industrial Court may impose penalties up to the maximum specified in the legislation. This is usually 5000 penalty units, but additional penalties can be imposed for second offences. Decisions made by the Local Court can be appealed in the Industrial Court subject to provisions of the Industrial Relations Act (1996).

Hospitality Prosecution Cases

LARGE HOTEL

Fine: \$5,000 plus costs - Prosecution under Section 15 of the OHS Act 1983

A musician slipped and fell in a loading dock area after a mixture of water and caustic cleaning agent was placed on the floor. There were no signs warning of the risk. Although staff came to his assistance, no one told him he had fallen into the chemical mixture. He was taken to hospital suffering third degree burns to his face, back, arms and buttocks.

LARGE FOOD CHAIN

Fine: \$3,500 plus costs - Prosecution under Section 15 of the OHS Act 1983

A casual 16-year-old kitchen hand employed at a large food outlet received several fractures when he fell through a skylight onto a table. The Court was told that the kitchen hand was instructed to go onto the roof of the building to secure a loose rope on an inflatable sign. He had not been trained in the tying procedure and was not supervised. From the roof, he fell through a skylight and landed on a table two metres below, receiving injuries that made him unfit for work for a period of six weeks.

Due diligence, role and responsibilities of supervisors

At its simplest, due diligence means 'taking care'. In the workplace, it means taking every precaution reasonable in the circumstances to protect the health, safety and welfare of all workers.

Most importantly, due diligence is a powerful and pro-active management tool that when used properly will foster the careful, systematic identification and assessment of specific workplace hazards and the establishment of control measures to prevent costly injuries and illnesses at work.

Safety management is a process of planning, organising, leading and controlling to enable the integration of safety into every part of the organisation's processes.

Due diligence requires that every person concerned in the management of the organisation (eg. employers, directors, managers and supervisors) understands the duties set out in the NSW OHS Act and regulations. Managers, supervisors and employees are then required to identify risks to health, safety and welfare in the workplace including those identified in the NSW OHS Act and its regulations. Once identified, due diligence requires that managers and supervisors address these risks through an effective and well-documented health and safety system. The more harmful or serious the potential dangers, the more effectively the organisation must guard against them to prevent workplace injuries and illnesses.

The ownership of safety strategies usually originates with management's commitment to safety, which can be communicated in a policy statement. Strategies may then be formed at each level of the corporate ladder in order to achieve corporate goals.

It is important that authority, responsibility and accountability for occupational health and safety, are clearly defined throughout the organisation and that they are matched by appropriate training and availability of resources and funds.

Whether an individual has acted diligently, depends on whether they took every precaution reasonable in the circumstances for that particular case. What might constitute due diligent behaviour in one case may not hold true for another. This is because each situation and each workplace is unique and needs to be assessed on an individual basis.

However, there are a number of general measures that all employers can implement to demonstrate due diligence. These include:

- carrying out all duties under the Act and ensuring that the organisation complies with the Act and regulations
- setting up a well-documented system for identifying, reporting, and responding to actual and potential hazards in the workplace
- establishing safe practices, procedures and controls that are specific to the hazards in the workplace and that meet or exceed the requirements set out in the Act
- providing instruction and training on an on-going basis to all employees, including supervisors and workers
- communicating regularly with employees about foreseeable health and safety hazards
- allocating adequate time and resources for the health and safety program to be established and followed by all parties in the workplace, including the occupational health and safety committee
- monitoring and auditing the OHS program on a regular basis.

Due diligence requires that employers, supervisors and others, understand and carry out their legal duties, continually assess the hazards and risks and take all reasonable precautions with respect to those risks.

Manager and supervisor responsibilities are to:

- advise workers under their control, of the potential or actual hazards that exist
- provide workers with written instructions and explanations where necessary, on the measures and procedures that are to be followed
- ensure that workers under their control, use or wear personal protective equipment or clothing as required
- take precautions that are reasonably practical in the circumstances to protect health and safety
- implement policies and procedures
- identify workplace hazards and correct where possible, or report matters to appropriate person
- ensure that effective consultation occurs
- investigate accidents and incidents
- induction and ongoing training for employees
- respond to issues raised by committee members
- submit statistics and reports.

A supervisor may be responsible for a variety of management functions including:

- meeting production requirements
- meeting quality targets
- budget control
- safety management.

Safety management can be promoted through initiating and participating in a whole range of activities such as team meetings, induction training programs, hazard inspections and reviews of work practices. All of these actions can be viewed as pro-active safety initiatives, which will enhance productivity and efficiency.

MODULE 2

OCCUPATIONAL HEALTH AND SAFETY RISK MANAGEMENT SYSTEMS

OCCUPATIONAL HEALTH AND SAFETY (OHS) RISK MANAGEMENT SYSTEMS

An OHS Risk Management Systems model will enable an organisation to look at current problem areas and establish a prevention system to safeguard the future. Establishing an effective and pro-active program encourages prevention rather than merely responding to problems as they arise.

There are several comprehensive management systems and tools available to employers. The decision as to which system is most appropriate depends on several factors. These factors include the organisation size, structure, complexity and product or service delivery.

WorkCover strongly believes in the importance of employee consultation when determining organisational OHS requirements. By involving all people in the consultation process, the organisation will more effectively resolve its OHS concerns.

SYSTEMATIC APPROACHES TO OHS

There is a wide range of OHS management tools and systems available. Systematic management of OHS can be achieved through determining the needs of your organisation and then selecting or developing the most appropriate approach.

The **Six Step Approach** to OHS management promoted by WorkCover NSW is similar to that outlined in the standard (AS 4804). The Australian Standard – ***OHS Management Systems – General guidelines on principles, systems and supporting techniques (AS 4804 – 1997)***, incorporates five principles, which promote continual improvement as part of the organisation's overall management system.

The Six-Step Approach can be applied to all hazards and includes the following:

- development of an OHS policy and programs
- methods of consultation
- training strategies
- hazard identification and risk assessment
- development and implementation of risk control strategies
- promotion, maintenance and review strategies.

The principles of the AS 4804 are:

- commitment and policy
- planning
- implementation
- measurement and evaluation
- review and improvement.

Commitment and Policy

Commitment and policy should be clearly defined and ensured by management. Participation and support from all employees can be achieved through effective leadership, communication, delegation and appropriate resource allocation. The employer should develop the policy and program in consultation with employees and employee representatives. Once developed, they should be made available to employees and form part of any induction or OHS training session.

Planning

Plans are required in order to implement policy, objectives and targets. Clear, measurable and specific indicators of performance are required, as is the designation of responsibilities, time frames, methods and risk management processes. Contingency or corrective plans should also be developed.

Implementation

Successful implementation of the OHS management system requires appropriate human, financial and physical resource capabilities and organisation support mechanisms. This could include training, effective supply and purchase of materials and services, communication and reporting mechanisms, records and information management. The risk management process (hazard identification, risk assessment and control) is a key part of implementing plans.

Measurement and Evaluation

Integral to an effective OHS management system is the ability and opportunity to monitor, measure and evaluate organisational performance and take corrective action where required. Audits, inspections, investigations, testing and practical measurements of the environment can assist in this.

Review and Improvement

OHS performance should be continually improving. Regular review of the whole OHS system should be implemented on a formal basis, taking account of all factors that impact on the working environment.

RISK MANAGEMENT (HAZARD IDENTIFICATION, ASSESSMENT AND CONTROL)

Risk management is the process used by organisations to identify, assess and control hazards in order to reduce the risk of injury, illness or damage. Risk management is a tool available to all people which, when applied correctly, leads to a safer work environment.

All hazards should be identified and assessed to determine the level of risk. The risk should then be controlled. These steps are repeated as part of an ongoing process, especially when there are changes in the workplace.

Hazard Identification

A hazard can be defined as some thing or situation with the potential to cause injury or illness to people, damage to property or disruption to productivity. Hazard identification is the process of recognising that a hazard exists and defining its characteristics.

Hazards are the prime identifiable cause of OHS problems and their prevention offers the best opportunity for reducing workplace injury or illnesses.

The process involves identifying all hazardous items, activities, situations, plant, equipment, products, services and processes that could give rise to injury or illness. This would generally involve consideration of:

- the type of injury or illness
- the situation or events responsible for injury or illness
- the way work is organised and managed.

Hazards can be identified in a number of ways. Some common methods are:

- direct observation
- completion of checklists
- safety audits
- workplace inspections
- incident/accident reporting and investigation
- monitoring of work areas
- consultation with staff or external organisations
- feedback from other people
- injury and illness records
- references to information and historical data

- investigating staff concerns
- environmental and health monitoring.

All employees should be involved in hazard identification. It should take place at all stages of product or service delivery, from design to manufacture, supply and product use.

Systematic identification of hazards is the most effective way to bring hazards to the attention of management and employees. It should be a planned process that enables hazards to be identified in a logical, structured manner. Hazards may also be identified through less formal or systematic means such as internal or external complaints or observations from employees.

Systematic hazard identification methods include:

Safety Audits

Safety audits are a systematic and periodic inspection of the workplace to evaluate the implementation and effectiveness of the organisation's OHS management system. External consultants or workplace OHS professionals may conduct the audit and they usually result in a written report to management. This report and any recommendations may be referred to the OHS committee for consideration.

Workplace Inspections

Regular systematic, physical inspections of the workplace by managers, supervisors and the OHS committee should be conducted. Inspections make use of observation, checklists and discussion to identify workplace hazards.

In conducting inspections, consultation and cooperation between employers and employees is essential. An OHS committee is one type of consultative mechanism that can be utilised. The outcomes of inspections and control recommendations should be documented and made available to employees.

Incident/Accident Investigations

Many workplaces have a set of procedures for reporting and investigating hazards and circumstances that contribute to incidents/accidents.

Records

Workplaces are required to keep records of injuries, illness and incidents/accidents. Information about near hits can be very helpful in identifying hazards and preventing potential harm or damage. Registers of hazardous substances, plant or injury are also useful. OHS training records also provide important information and should be updated regularly.

Consultation

Consultation in the workplace can identify hazards and bring them to the attention of those who have the responsibility to correct them or make recommendations for corrective action. OHS workplace committees are an example of workplace consultation.

Other consultative mechanisms such as work meetings, quality circles, feedback sessions and total quality management philosophies, provide a variety of forums in which employees can raise OHS issues and concerns.

Health and Environmental Monitoring

As with OHS audits, monitoring may be undertaken by OHS professionals to provide technical advice about suspected hazards. Monitoring may help in deciding whether a substance or process is a hazard and, if so, the level of risk involved. In this way, monitoring is not only associated with hazard identification, but is also associated with workplace assessment and control measures. Environmental monitoring measures the hazards present in the workplace environment (eg. smoke or other atmospheric contaminants), whereas health monitoring considers exposure of the individual (eg. hearing tests to determine noise induced hearing loss).

RISK ASSESSMENT

A risk assessment involves careful examination of the hazards in a workplace and the factors involved. This may include the type of hazard, equipment, training provided, number of operations and existing systems in place to control the hazards.

Risk assessment is the process of determining the level of risk created by the hazard and the likelihood of injury or illness occurring. The priority of control increases as the established level of risk increases.

Establishing the level of risk requires consideration of the actual components of the risk being assessed. That is, the sequence of events, including the possible consequences, the severity of the possible outcomes and the likelihood of that event taking place.

Risk assessments must be documented and should include all significant findings and recommended control measures. Risks should be reassessed following any injury or incident or any changes to plant, processes, work activities, technology or legislation. The assessment stage is essential because it will determine the type(s) of control methods required.

To determine the level of risk the following should be considered:

Number of factors

For a particular hazard there may be a number of factors, which contribute to the probability, and severity of injury, illness or damage. These factors may be from a health, safety or welfare perspective or a combination of all three. There may be a number of different health outcomes (eg. physical, psychological, temporary, permanent, long/short term). There may also be different safety outcomes (eg. fire or explosion that affect the level of risk).

The particular route of entry to the body can also increase the risk. For example, a chemical may be toxic if spilled or absorbed through the skin and may also give off fumes, which are harmful if inhaled. The chemical may be highly flammable and/or have the potential to explode. Spillage of the chemical could cause a slip, trip or fall. The overall level of risk increases with the number of factors associated with the hazard.

Exposure

The level of exposure is affected by how frequently the exposure occurs, the duration of exposure and the total number of people exposed. Exposure levels can be influenced by the work environment (eg. a confined space), the way in which exposure occurs (eg. the route of entry to the body) and workplace control measures (eg. ventilation or use of PPE).

Severity

This is the extent of the injury/illness or degree of harm caused by exposure to the hazard. A severe effect of exposure would include death, permanent disability or a serious illness such as cancer or hepatitis, whereas minor effects could include a scratch, graze or irritation.

Human Differences

In assessing hazards, it should be remembered that all individuals are different and have different reactions to certain hazards. Hazards need to be assessed in terms of the employees who are exposed to them (eg. individual skills, experience, training and physical capabilities). Some individuals may be sensitised, allergic or more susceptible to certain hazards.

The four components of any risk assessment should include:

- identifying the consequences or severity outcomes – *i.e.*, the number of people harmed and the nature of their injuries/illness
- determining the exposure - *i.e.*, how often (frequency); how long (duration) and to what extent (severity) the affected persons are exposed to the particular hazard (for a toxic hazard this would include any time-weighted average or ceiling exposure)
- determining the individual's reactions to certain hazards – *i.e.*, how the hazard affects the employees who are exposed to them

- estimating the probability, likelihood or chance it will happen – *i.e., the integrity and effectiveness of any existing risk control measures will need to be included in estimating the likelihood.*

Risk Assessment Model

There are many techniques used to assess risk, some of which involve complicated mathematical models. Most organisations are faced with numerous and complex health, safety and welfare issues. Estimates of the likelihood and severity of outcomes are essential to risk assessment. However, limited resources may also influence OHS priorities and control the range of options available.

A simple risk assessment model such as found in the WorkCover NSW Hazpak publication, helps to determine the likelihood and severity of a hazard and can assist in assigning priority to hazards, on the basis of risk.

The Hazpak model provides an instrument for establishing the seriousness and priority that should be given to a health, safety and welfare problem. Problems that score **Priority 1** have the highest ranking and need to be addressed first, while problems that score a **Priority 5 or 6**, can be controlled at a later date. Refer to the WorkCover Hazpak publication for more information.

By completing a risk assessment, hazards that require immediate attention can be identified and plans developed for the control of others that are less urgent. It is sometimes necessary to undertake more thorough assessments of the risks through environmental and/or health monitoring. OHS professionals such as occupational hygienists are often engaged when detailed specialised assessments are required.

RISK CONTROLS

Control strategies should be developed and implemented after the hazards have been identified and risk assessment completed. The main purpose of control methods is to eliminate the hazards and reduce risks in the workplace. It is essential that a thorough examination of the workplace be carried out to reveal the types of hazards and their extent. This should be linked closely to relevant technical information, legislative requirements, codes of practice and standards.

An employer must eliminate any reasonably foreseeable risk to the health or safety of any employee, or any other person legally at their place of work. If it is not possible to eliminate the risk, the employer must control the risk.

Control measures are designed to:

- reduce the risk of hazardous work
- reduce the risks of exposure to a hazardous substance or environment
- reduce the likelihood of disease, where that exposure is an integral part of the work process.

All control strategies should be developed using the OHS hierarchy of control. Once appropriate control strategies have been determined they should be documented, correctly implemented and maintained. Training should be provided to all employees where necessary. Monitoring the effectiveness of control strategies and regular review should be conducted to ensure ongoing applicability and suitability. It also encourages continual OHS improvement.

Elimination or Control of Risks

Elimination - It is often possible to detect potential hazards during the design and planning phase of a project. Every attempt should be made to eliminate hazards by designing them out when new buildings or workplaces, equipment or work systems are planned (eg. new hotel design taking into account required security and office space needs).

Control - methods can be organised into a hierarchy. This means that there are preferred ways to reduce exposure to risk to the lowest level possible. If elimination of a hazard is not possible, risk still exists. This risk should be minimised by using the most effective method in the hierarchy of control.

Hazard controls are generally set out in the following hierarchy:

Engineering Control Measures

1) *Substitution*

Use less hazardous systems of work, tools, equipment, substances or chemicals (eg. cleaning products).

Adopt a safer work process or alter the types of tools (eg. trolleys) and equipment used, workplace layout or design to reduce the risk of injury (eg. slip resistant flooring in a wet bar area).

2) *Enclose or Isolate*

Enclose or isolate the hazard from workers. eg locating a nightclub disc jockey in an enclosed booth that minimises noise and smoke exposure or putting a safety fence around an electrical transformer or moving noisy plant to an area away from staff.

3) *Minimise the risk by engineering means*

This could include the use of guards on machinery or local exhaust systems used to trap and remove contaminants near the generating source (eg. directly over cooking surfaces to remove steam or fumes). Ventilation can also be a fixed item that ensures air quality of the overall working environment (eg. casino or club air conditioning and ventilation systems that remove airborne contaminants).

4) *Administrative Control Measures*

Safe work methods/operating procedures - Written work procedures control the way the work is done. They might include such things as monitoring the work environment, job rotation, work scheduling, permits to work and hazard reporting.

Use of safety signs and restricted areas – This directs worker's focus to areas of the organisation that may need special attention or limit access for safety and security reasons.

Housekeeping - This is a method of preventing the dispersion of dangerous contaminants. It is also part of providing and maintaining the safe and healthy environment required by law. Ensuring that the workplace is clear of rubbish and clutter will reduce the occurrence of slip, trips and falls.

Regular Maintenance - An effective maintenance programme is also part of the legal requirement (eg. repair tools and equipment – like cooking facilities).

Personal Hygiene - All workers should have ready access to washing facilities, especially where they may be exposed to contaminants such as dust or chemical substances. They should have access to meal facilities so that they are not required to eat or drink in areas that have been exposed to contaminants. (eg. cleaners should not eat in or near where cleaning chemicals are stored).

Training and Education - Is required to supplement the higher control measures. This could include training workers to use controls associated with specific hazards, to carry out emergency procedures, the use of mechanical lifting devices to lift heavy loads or the implementation of full fire evacuation drills.

5) *Personal Protective Equipment (PPE)*

PPE - Provides a barrier between the worker and the hazard. This should be the last control measure when other controls are not practical or where one control measure on its own is not enough to protect a worker (eg. gloves, aprons, non-slip shoes, eye and ear protection).

It may be necessary to use a combination of controls, including PPE, to provide adequate protection from hazards at work.

REPORTING

Hazard identification and assessment can be improved through effective hazard and incident reporting. Analysis of accident reports allows identification of problem areas by looking at the illness and injury types and rates occurring within the industry or within a workplace.

If illnesses and injuries caused by hazards at work are to be prevented, records of injury and illnesses must be kept. A system of incident and accident reporting should be in place. To assist with this system, employees should report any incident or injury (no matter how small or trivial) to their supervisor immediately.

All incidents that occur in the workplace, regardless of the severity of the outcome, should be recorded. Analysis of these reports can trigger investigation of problem areas or processes and result in prevention or reduction in injuries and illnesses.

Under the NSW OHS (Notification of Accidents) Regulation (1990), employers have a legal duty to report certain accidents, dangerous occurrences and occupational diseases to WorkCover NSW. WorkCover may investigate the incident and recommend preventive measures if appropriate. In some cases, the investigation may lead to a prosecution. Information obtained from the investigation can be used to warn other similar organisations of potentially hazardous situations that should be avoided or fixed (eg. safety alerts).

Hazards may be reported and actioned through:

- complaints by employees
- observation and reporting of a hazardous situation
- regular and special inspections by the OHS committee and supervisors
- safety audits
- reports made at staff, team or committee meetings.

Once an incident or hazard has been reported, the supervisor is usually responsible for dealing with the problem. However, if the problem is complex the OHS committee, along with managers and OHS professionals, may need to become involved in solving the problem. It is particularly important that employees cooperate with employers and report all incidents and hazards as soon as they occur.

The employer must immediately notify WorkCover NSW if someone dies, or suffers a major injury in an accident connected with work resulting in more than 7 days off work or if there is a dangerous occurrence (such as gas leak or explosion).

INCIDENT INVESTIGATION PROCEDURES

The investigation of incidents provides an opportunity to examine many aspects of the operation of an organisation's OHS management system (eg. training provided, hazard identification, risk assessment and control strategies and contingency preparedness).

The purpose of an incident investigation is to:

- identify causes of an incident or the 'change' or 'factors' responsible for the incident
- determine appropriate mechanical improvement, better supervision or employee training to prevent similar incidents
- communicate the particular causes to employees and their supervisors to direct attention to incident and/or accident prevention.

Management may call upon supervisors to assist in the coordination of the incident investigation. The following process needs to be implemented by management following an incident and/or accident:

- area to be secured to ensure further injuries do not occur
- area to be isolated and nothing should be altered until the incident investigation team has completed the investigation
- management should assemble the incident investigation team as soon as possible after an incident/accident
- the composition of an incident investigation team depends on the seriousness or complexity of the incident
- WorkCover Inspectors may be called to investigate serious incidents

- the incident investigation team involved in a serious injury, a fatality or extensive property damage, may include the employee(s) directly involved, the supervisor, safety personnel, engineers, designers, technical specialists, and employees familiar with the process or operation
- the team should include appropriate members of the management team
- OHS committee members may be called upon to assist with the incident/accident investigation or comment on the overall investigation process (OHS committees are not responsible for coordinating the investigation)
- special arrangements need to be made to take statements from staff
- recommendation(s) to be provided for corrective action
- report to be written and tabled appropriately
- follow-up appropriate control measures or recommendations.

While setting up the investigation process it is important to minimise the stress on workers involved in cause identification. A degree of stress is unavoidable but the stress caused by multiple investigations of the same scene should be avoided. To achieve a consensus approach to investigation procedures, there needs to be a planned and agreed procedure on how accidents and incidents are to be investigated, prior to their occurrence.

Exceptions to the planned approach may result where external authorities such as inspectors, police, etc are required to carry out independent inquiries.

The key aim of incident investigation is to identify control measures that will prevent a recurrence of the same incident. The focus should be on identifying system deficiencies rather than apportioning blame.

To prevent a recurrence of an incident, change is necessary. Changes may involve costs that influence business decisions about how work is organised and performed. Management should be involved in the implementation of the recommendations made by the incident investigation team. Management has a responsibility to authorise, develop and resource any required action.

For the incident investigation to be successful in identifying the causes, it will be necessary to establish:

Events leading up to the accident/incident

- the system of work being carried out
- the instructions given for the work
- variations from instructions or safe system of work
- workplace conditions such as lighting, floor surfaces, stair treads and handrails, warning signs, temperature, weather (if the incident occurred outside) etc
- the exact location of the incident
- the materials and equipment in use.

Facts of the incident itself

- the state of the systems and the actions that occurred at that moment
- the person(s) involved, directly and indirectly
- the equipment, materials and fixtures directly concerned
- the time the incident occurred, when the incident was reported and by whom
- the nature of any injury.

All personnel who have knowledge of the work or conditions at the scene, whether or not they were present, can also be interviewed. These people can contribute to establishing accident causation.

Interview Techniques

There are certain proven techniques for a successful interview. The following elements form the basic approach to 'investigation interviewing':

Conduct the interview in private at the workplace

The main advantage of interviewing at the scene is to assist the memory of the person being interviewed; they may refer or point to physical conditions at the scene of the accident.

Put the interviewee at ease

Remember that the accident victim or witness may be emotional. The best way to reassure the interviewee and put them at ease is to remind them of the purpose of the interview.

The purpose of the investigation is to:

- prevent the incident from occurring again (not to apportion blame)
- identify all contributing factors
- obtain facts and not theories about the incident

Always be polite and reassuring to the interviewee. Every assurance should be given that the information obtained will be used in the prevention of future accidents.

Ask for the interviewee's version of what happened

The interviewee needs to understand that the interview is to establish their version of what happened. The interviewer needs to be careful not to interrupt or ask leading questions such as 'You must have seen or heard something at the time of the accident?' The interviewer needs to ensure that they do not make judgements, as this may defeat the whole purpose of the interview by making the interviewee defensive.

Only ask necessary questions

- limit the questions to facts. (Eg. 'Where did the accident happen? What actually happened?')
- ask open-ended questions, as this type of question will prompt much more information from the interviewee
- all questions should be objective and constructive in manner
- wait until all factual information has been given before asking any 'why' questions. 'Why' questions may prompt subjective answers.

Repeat the interviewee's statement

This will ensure:

- correct understanding between the interviewer and the interviewee
- an opportunity for the interviewee to appreciate fully what has been said and if necessary, provides a chance to make corrections

Close the interview on a positive note and thank the witness

Before closing the interview, check that everything has been discussed, by referring to the checklist or accident report pro-forma. The best way to close the interview is by reaffirming the purpose of the interview. This will promote further cooperation, should a follow-up interview be required.

An effective accident investigation requires employer and employee commitment and involvement. Management must support the investigation process and act on the results. It must make sure that the investigators are capable and have sufficient resources to conduct an adequate investigation. It is management's responsibility to evaluate the outcome of all accident investigations. If there is a workplace OHS committee, an employee representative should be included in the investigation team.

POLICY AND SAFE WORK PLAN

An organisation's OHS policy is a public statement signed by senior management expressing commitment and intent to manage OHS responsibilities throughout the whole organisation.

The policy should:

- be dynamic and relevant to the organisation's overall vision and objectives
- be appropriate to the nature and scale of the organisation's OHS risk
- include commitment to continual improvement in the control of work-related injury and illness
- broadly define the responsibilities of all parties in the workplace
- include a commitment to comply with relevant OHS legislation and with other requirements to which the organisation subscribes
- include a commitment to consultation with employees
- be documented, maintained and communicated to all employees
- be available to interested parties
- be reviewed regularly to ensure it remains relevant and appropriate to the organisation.

The policy is intended to clearly inform employees, suppliers, customers and other relevant parties that OHS is an integral part of all operations. Management being actively involved in the review and continual improvement of OHS performance further reinforces this commitment.

The formation of an OHS policy assists in the development of a pro-active OHS culture in the organisation. Characteristics of a pro-active OHS workplace culture include:

- OHS policy and its public display
- good safety awareness
- no OHS accidents and/or incidents
- adequate staff training
- appropriate supervision
- consultation with employees
- high morale of personnel.

Safe Work Plan

The successful initial implementation of a safe work plan requires plans to be developed that clearly set out how the objectives and targets for the management system will be achieved.

Safe work plans should:

- designate responsibility for the achievement of objectives and targets to relevant personnel/supervisors and sections of the organisation
- include timeframes by which objectives and targets will be achieved
- include a process for reviewing the system.

Employer responsibilities would be to provide:

- a working environment that is safe and without risks to health
- safe equipment and systems of work
- adequate resources, information, training and supervision
- ongoing and effective health and safety promotion.

Manager and supervisor responsibilities would involve:

- implementation of OHS policy and procedures
- identification of workplace hazards
- monitoring and enforcing corrective action
- ensuring that effective consultation occurs

- investigating accidents and incidents
- induction and ongoing training for employees
- responding to issues raised by health and safety representatives and taking corrective action
- submitting statistics and reports
- developing appropriate OHS solutions
- ensuring OHS systems are reviewed and continuously improved.

In addition to the initial planning phase, procedures should be established to ensure planning is undertaken relevant to the ongoing operations of the organisation. If there are changes to the activities, products or services of the organisation (eg. introduction of a new product) or significant changes in operating conditions (eg. change of location), procedures should be established to ensure current plans are reviewed and if necessary, amended to address such changes. Operational plans to address specific OHS issues in an organisation's operations need to be developed and implemented.

OHS DOCUMENTATION

Management is responsible for the storage of all OHS documentation at the premises or if not possible at a designated office. The records should be made available to management, workplace committees and relevant authorities when requested.

Safe Work Method Statements/Operating Procedures

Safe work method statements and operating procedures support OHS management systems and are particularly important when planning and implementing work. These documents specify methods of carrying out certain types of work, tasks or hazardous work.

A safe work method statement is a type of checklist. It is used to describe the job that has to be done. It can be used to anticipate possible health and safety issues and to program work effectively. Safe work method statements can also assist in quality assurance and meeting legal or contractual requirements.

The aims of a safe work method statement are to:

- describe the task or job to be done
- identify the physical and human resources and skills required
- identify the health, safety and welfare hazards associated with the task
- assess and select hazard controls as appropriate
- systematically plan the job so it can be completed efficiently and effectively.

Safe work method statements should:

- be developed and documented prior to the commencement of a job
- involve consultation with employees
- incorporate risk assessment results
- explain job procedures in a logical step-by-step order
- be read and understood by the employees, before commencing work
- be signed by the employees, once it has been read and understood
- included as part of an employee's induction training
- become part of the organisation's safety plan
- be written in plain English with minimal jargon and presented in a suitable format (eg. pre-developed charts or proformas).

OHS IMPLICATIONS ON THE ORGANISATION

An OHSR Management System should be developed and implemented by senior management. It should clarify the control of operations as well as protect the rights of contractors, part-time and casual employees, vocational students, members of the public and children.

The system should include:

- development of the organisation's OHS plan
- identification of training needs and competencies
- identification of resources (eg. fire extinguishers, first aid equipment, amenities etc)
- general information about health and safety, including specific OHS requirements
- documented specific OHS requirements for the work (eg. safe work method statements, organisation's OHS plan, emergency evacuation procedures, etc).

Contractor OHS responsibility

Generally, it can be said that senior management is responsible for the control of the overall workplace. The contractor is responsible for the control and impact of their own particular activities. However, in almost every situation, there will be some sharing of the responsibility for health and safety. The primary responsibility for the safety of the contractor's employees rests with the contractor. The contractor's employees should undergo specific OHS induction training at the time of engagement.

Casual and part-time employees

A large percentage of workers in the hospitality industry are casual or part-time employees. When organisations are developing their OHS policy and programs the needs of these workers should be considered. Casual and part-time workers must be protected from workplace hazards in the same way as other workers. Employers must provide them with information and training about work hazards, safe work practices and maintain safe equipment and a safe work environment.

Casual and part-time workers need to be given proper training and supervision. Training should be specific to each job and its hazards, and made available to all casual and part-time staff.

Vocational students

Vocational students may undertake a work placement as part of a course they are doing, or undertake work experience during which they assess whether they are suited to a particular type of work. All young workers must be protected from workplace hazards in the same way as other workers.

Young workers are usually inexperienced and unfamiliar with the work environment. They may not be as confident as others or may be reluctant to ask questions or clarify OHS concerns. Employers should take this into account when determining how to ensure the health, safety and welfare of young workers.

To protect young workers, employers must make them aware of the range of hazards in the workplace. Information should be sufficient and suitable to their needs and supervision should be provided according to their level of skills and knowledge, confidence and complexity of tasks and associated OHS issues.

Members of the public and children

The expectations of the public vary according to the type of establishment they are visiting. In the hotel, catering, leisure and hospitality industries, large numbers of customers and staff are involved. Customers and staff have the right to facilities that are safe, secure and hygienic. Management must ensure that the same safety standards and procedures are available for members of the public. This may include suitable entry/exit, operational lifts and emergency evacuation plans.

MODULE 3

SPECIFIC HAZARD MANAGEMENT

DRUGS AND ALCOHOL

Both illegal and legal drugs can affect health and safety and work performance. The physical effects of a drug can vary depending on the type of drug. Some drugs can react adversely when taken in conjunction with alcohol, or when combined with particular chemicals or substances being used in the workplace.

Control measures include:

- developing and implementing appropriate policy, guidelines and/or codes of behaviour
- providing Employee Assistance Programs - including rehabilitation, counselling and corrective action where appropriate
- correct usage and control of hazardous substances
- testing for drug and alcohol.

ELECTRICAL SAFETY

Electricity is a major cause of fatalities and serious injuries in industry. Electricity can cause:

- electric shock resulting in death, burns and injury
- fire
- electrical explosion.

Control measures include:

- switching off or disconnecting (isolating) all possible sources of electricity
- treating all wires as live and testing the circuit immediately
- using appropriately qualified and competent electrical workers and providing adequate training, instruction and supervision of all employees
- ensuring supply remains isolated with the use of lock out equipment, tagging and isolating devices
- using suitable insulation materials and equipment
- ensuring proper maintenance, cleaning, inspecting, testing and storing of all electrical equipment
- using warning notices and safety signs
- working in pairs when working with electricity
- implementing appropriate first aid procedures
- being aware of the dangers of working near overhead powerlines
- using PPE (eg. insulated gloves and footwear)
- not allowing extension leads to be coiled tightly and overheated when in use
- not allowing cables to be placed on floors without protection or permitting trucks or trolleys to run over electrical cables
- replacing frayed or damaged electrical cables and leads.

Electrical Safety Case Study

An employee was using a steam-cleaning unit to clean carpets in a restaurant. The unit was located in a van and the restaurant provided power via an extension cord. Sections of the insulation protection of the power cord were damaged. The damaged lead came in contact with carpet that had become wet during filling from the water tank in the van. The employee stepped on the carpet and was electrocuted.

ENVIRONMENTAL TOBACCO SMOKE

Employers who allow smoking in their workplace are at risk of being sued by either employees or members of the public who suffer ill health as a result of passive smoking. Passive smoking is breathing in environmental tobacco smoke (ETS). ETS contains over 4,000 chemical compounds including 43 known carcinogens.

The degree of exposure to ETS by non-smokers is determined by factors such as proximity to a smoker, the tar level of the cigarette, the number of cigarettes smoked, the size of the room, ventilation and the length of exposure.

Exposure to environmental tobacco smoke can contribute to:

- eye irritation
- cardio-vascular disease
- lung cancer
- asthma (particularly in children)
- acute irritation of the respiratory tract
- bronchitis, pneumonia and other chest infections.

Control measures include:

- developing a written non-smoking policy in consultation with employees
- designating indoor areas as non-smoking
- insulating physical barriers to prevent ETS exposure to non-smokers
- providing separate ventilation systems for smoking and non-smoking areas
- training staff about the effects of smoking and the reasons for a workplace non-smoking policy
- informing staff through meetings, memos and notice boards
- providing signs clearly indicating to staff and public that the indoor area is non-smoking.

ERGONOMICS

Ergonomics is the study of the relationship between people and their environment. It is important in the adaptation of work conditions to the physical and psychological nature of people.

Ergonomics is currently used to assist in:

- fitting the demands of work to the efficiency of staff to reduce stress
- designing machines, equipment and installations so that they operate with greater efficiency, accuracy and safety
- determining workplace conditions to ensure correct body posture
- adapting work environments to suit the worker's physical requirements.

A combination of factors can increase the risk of injury arising from poor ergonomics:

- awkward postures
- work stations, plant and equipment which are inadequately designed or adjusted for the employee
- poor working environment (eg. temperature extremes or noise and vibration)
- poor design of tasks
- poor work organisation (eg. work rates, peak demands, task variation, breaks and urgency of deadlines)
- inappropriate arrangement of jobs with the same repetitive nature
- repetitive tasks without scheduled breaks or a period of adjustment after an absence from work.

Control measures include:

- providing training for staff in safe work systems, procedures and practices
- providing training for staff in specific tasks, skills and techniques
- using mechanical aids or devices
- ensuring that staff take frequent, short, regular rest breaks and are provided with a variety of tasks
- adjusting chairs and work stations in accordance with the Australian Standard for Application of Ergonomics to Factory and Office Work (AS 1837)
- ensuring that the layout of work station allows easy access to required equipment and work materials
- making modifications to workplace design
- encouraging gentle stretching/exercise to prevent injury.

Ergonomics Case Study

An employee was required to stand at the concierge desk for a continual period of 4 hours. There was no provision for seating or a variety of work activities because his main role was to direct patrons to other staff members for the service required. He complained of sore back and sore feet at the end of his shift. The pain became worse as the shift progressed.

HAZARDOUS SUBSTANCES

Hazardous substances and dangerous goods are substances used and/or produced at work that have the potential to harm the health and safety of people at work. They can be gases, liquids, solids, fumes, dusts, fibres or vapours either naturally occurring, or manufactured pure substances or mixtures.

The hospitality industry is exposed to numerous hazardous substances including adhesives, cleaning agents, solvents, oils and pesticides. Some examples include:

- disinfectant used as cleaning agents
- carbon dioxide gas cylinders used in cellars for draught beers and bulk mineral dispensing systems
- oven cleaning agents used in the kitchen.

There are a large number of chemicals available to industry, many with unknown, short or long term health effects. Hazardous substances are usually identified through the List of Designated Hazardous Substances [NOHSC:10005(1999)] or by using the Approved Criteria for Classifying Hazardous Substances [NOHSC:1008(1999)].

Control measures include:

- using physical instead of chemical processes
- using alternative substances or processes which are less hazardous
- using engineering controls (eg. local exhaust systems)
- using barriers or isolation
- minimising the number, duration and frequency of employees exposed
- regular cleaning and housekeeping
- providing separate eating and drinking amenities for employees
- ensuring appropriate safety signs, training, instruction and provision of Material Safety Data Sheets (MSDS) and labels
- using appropriate PPE.

Hazardous Substances Case Study

A musician, playing at a reception lounge, was on a scheduled break and stepped outside for a breath of fresh air. He slipped and fell in the loading dock area on a mixture of water and caustic-cleaning agent that was used as a cleaning agent. There were no signs warning of the risk. He was unaware that he had been exposed to the chemical mixture. He was taken to hospital suffering from third degree burns to his face, back, arms and buttocks.

HIV AND OTHER BLOOD BORNE PATHOGENS IN THE WORKPLACE

Transmission of HIV, hepatitis and other viruses found in blood and other body fluids can occur in the workplace. The hospitality industry is not generally considered a high-risk industry however, there are situations when exposure could occur, or certain work activities that may increase risk. (Eg. a cleaner may be exposed to waste products or syringes that have been disposed of in bathrooms and public toilets).

Control measures include:

- eliminating any work practice which may lead to exposure
- using appropriate equipment (eg. syringe collection device)
- good housekeeping and personal hygiene
- cleaning, disinfecting and sterilising equipment
- appropriate training and information
- providing appropriate cleaning materials (eg. bleach)
- ensuring first aid staff are trained in infection control procedures
- appropriate policy - including counselling and privacy provisions
- wearing or using appropriate PPE where required (eg. non-porous waterproof dressings, gloves, mouth to mouth resuscitation masks, plastic aprons and eye protection)
- taking immediate action if exposure occurs.

HIV and Other Blood Borne Pathogens Case Study

A first-aid officer was called to render first aid to an employee who was injured and bleeding. Conscious of the need for speedy treatment, the first-aid officer did not wear gloves during the treatment. The first-aid officer had damaged skin around the cuticle area of the nail and subsequently became infected with Hepatitis B as a result of:

- contact with infected blood
- broken skin allowing infectious agents to penetrate; and
- not wearing gloves to prevent contact with infectious agents

MANUAL HANDLING

Manual handling involves any activity that requires the use of force exerted by a person to lift, lower, push, pull, carry or otherwise move any load. Manual handling can result in injuries to any part of the body. Back injuries and strains and sprains are very common. It was previously thought that the weight of a load and whether it was lifted 'correctly', were the main causes of injury. The reality is more complicated and the Manual Handling Standard and Code of Practice recognise this by setting out a number of factors that can affect the risk of injury during manual handling.

A combination of factors can increase the risk of injury arising from manual handling:

- actions and movements
- workplace and workstation layout
- working posture and position
- duration and frequency of manual handling
- location of loads and distances moved
- weight of loads, and forces exerted
- characteristics of loads and equipment
- work organisation
- work environment
- skills and experience
- age
- clothing
- special needs.

Control measures include:

- general principles
 - minimise lifting and lowering forces exerted
 - avoid the need for bending, twisting and reaching movements
 - reduce pushing, lowering, pulling, carrying and holding
- job redesign
 - modify the object to be handled
 - modify the workplace layout
 - use different actions, movement and forces
 - rearrange materials or work flow
 - modify tasks using mechanical equipment or team lifting
 - lighten loads
- provide general and specific training in the principles of correct manual handling, recognition of manual handling risks and/or specific manual handling training
- use other administrative controls that consider special needs (eg. job rotation).

Manual Handling Case Study

Peter worked as an electrician in the maintenance/grounds section of a large hotel. While the work was varied, the positions in which he found himself were usually constrained, awkward and required stretching. After six years, he had to give up the electrical work in favour of a position that involved little work on ladders, at heights or in confined spaces. The reason for his career change was continuing, extreme pain in the lower back.

NOISE

The Occupational Noise Management Standard (AS 1269.0 – 1998) defines occupational noise as ‘all sound in the workplace whether wanted or unwanted’. Noise varies from nuisance noise to loud industrial noises that can permanently damage hearing.

Noise can cause a number of health effects including hearing loss, tinnitus (a ringing or buzzing noise in the ear), increased blood pressure, fatigue, headaches and sleep disturbance. It can cause problems by adversely affecting communication between workers and the ability to hear warning signals, thereby compromising worker efficiency and safety. Even where noise levels are not high enough to cause hearing loss, it can cause stress, reduced concentration and reduced performance.

Some examples of approximate noise levels (dB):

Normal conversation	60
Heavy traffic	80 – 90
Business office	65
Music from a rock band	in excess of 100

A workplace is described as unsafe and a risk to health, if people are exposed to noise levels exceeding an eight hour noise equivalent of 85 dB.

Control measures include:

- purchasing new and quieter tools
- minor design changes to plant
- regular plant maintenance
- isolating or enclosing noisy parts of the plant
- relocating noisy elements which are not integral parts of the machine (eg. moving pumps, fans and compressors)
- using sound absorption devices/substances (eg. noise enclosures, dampening to reduce vibration, mufflers and silencers)
- reducing metal to metal impact or suppressing vibrating surfaces
- using safety signs to alert people to noisy areas
- using personal hearing protection (eg. ear plugs or muffs)

- providing adequate training and information
- reducing noise exposure by job rotation and roster design.

Noise Case Study

Mary worked as a bar attendant in a local hotel, for four nights a week. Local bands played during her shift. When she finished work, she usually had a headache, felt irritable and experienced ringing in her ears. Mary's family often complained that she turned up the volume of the television and that she often misunderstood conversation. She rarely socialised because she feels isolated. She can no longer hear the birds singing or the rain. Mary has become withdrawn, nervous and miserable.

PEST CONTROL

Vermin and insects spread disease. They are particularly dangerous in kitchens, restaurants and storage rooms where contamination of food and drink may occur.

Pests must be controlled to:

- prevent the spread of disease and ill health
- prevent damage to property
- comply with food hygiene regulations
- prevent food wastage.

Control measures include:

- keeping areas well-lit and ventilated
- repairing damage to fixture and fittings promptly
- storing items on open shelves rather than cupboards
- filling in gaps in skirting, around drains and closing gaps under doors
- discouraging birds from perching near or on buildings using netting barriers
- keeping premises clean and tidy
- clearing spillages promptly
- keeping pest proof lids on containers
- disposing waste frequently and storing it away from buildings
- keeping food covered whenever possible during preparation, display and service
- storing goods away from walls, windows and above floor level
- disposing of infested food
- placing poisonous pellets or powders in infested areas
- using insect and fly spray or using electronic insect killers
- baiting and setting traps to attract and catch mice and rats
- regular inspection and fumigation of facilities.

PROVISION OF AMENITIES AND GENERAL WORK ENVIRONMENT

The employer or person in control of a workplace has a duty under the OHS Act to provide and maintain a workplace that is safe and without risks to health for their employees. This extends to any other person present at the workplace or affected by the work being undertaken.

Employer obligations include:

- maintaining clean and sanitary premises, furniture, fixtures and fittings
- ensuring adequate supply of fresh or purified air
- maintaining temperature at no less than 16°C
- providing adequate lighting for the work involved
- providing adequate work space and suitable seating for each person at work
- supplying adequate and appropriate cleaning equipment and accessories, cleaning agents, mops and brooms

- providing toilet and washing facilities, with hot and cold water, soap and clean towels or other hand drying facilities
- supplying fresh drinking water for consumption
- providing suitable and sufficient facilities for eating meals
- providing lockers or cupboards for the storage of non-working clothes
- ensuring dangerous machine parts are securely guarded
- instructing, training and supervising all employees when using equipment or machinery or undertaking work activities which may expose them to risk of injury.

SCREEN BASED EQUIPMENT

Office workers generally spend many hours using a variety of keyboard and computer equipment. Office equipment that is properly selected, coordinated and adjusted will help prevent a range of injuries caused by overuse, poor posture and poor lighting.

When positioning visual display units (VDUs) they should be located to the side of the light source, not directly underneath it. It is also important to identify the presence of glare and reflection.

VDUs emit radiation, similar to that produced by television receivers. Weak electromagnetic fields and low levels of radiation, not visible to the human eye, can be detected using sensitive instruments. The level of emissions from VDUs is well below levels considered harmful by the *International Radiation Protection Association* and Australian Standard 3590.

Control measures include:

- adjusting the height of the work surface and/or chair so that height is appropriate to worker
- adjusting chair tilt so that worker is comfortable when using keyboard
- correctly placing keyboard to allow forearms to be horizontal and wrists straight
- setting the 'eye-to-screen' ratio a distance that permits the eye to focus accurately
- placing document holder close to the monitor screen to prevent twisting or head inclination
- changing posture at frequent intervals to minimise fatigue
- tilting the monitor screen to direct reflections below the worker's eye level
- installing light diffusers or anti-glare screens to the computer
- positioning VDUs to ensure that operators minimise their exposure to electromagnetic emissions
- ensuring employees take scheduled rest breaks or vary their tasks to reduce the effects of fatigue and eye strain.

Screen Based Equipment Case Study

An accounts clerk in a hotel finance department suffered from an occupational overuse syndrome (OOS) injury as a result of undertaking accounting activities. His symptoms included eye fatigue, head and neck aches, numbness and tingling in his wrists and forearms.

The accounting activities required all data entry to be completed by 6 o'clock, however the clerk did not receive the documents until after 2 o'clock. This required an extended period undertaking a repetitive task and established unrealistic and urgent time frames. He was unable to take a rest break or alternate duties due to the workload and urgency of the activity and was required to maintain constant visual attention to the VDU screen.

SECURITY ISSUES

Customers and staff have the right to feel secure and safe at places of work. Employers and employees have a legal duty to see that everything possible is done to reduce the risks arising from the actions or activities of:

- thieves and other dishonest people
- terrorists
- violent or aggressive people.

Control measures include:

- observing access points to the building at all times by security staff, other employees or security equipment
- ensuring that all fire exits remain closed and uncluttered
- identifying staff easily by the use of a badge, uniform or other suitable means of identification
- ensuring car parks are well lit
- keeping interconnecting doors between hotel rooms locked when the adjoining rooms are not let to the same party
- training staff to identify suspicious behaviour and report it appropriately
- emptying cash registers regularly
- switching on alarms before leaving
- controlling the issue and allocation of access and other master keys
- using appropriate key control systems to suit the establishment
- shiftwork issues such as rostering of and available staff, with reference to security requirements.

Security Case Study

A lone security guard employed by a small motel in a country town was threatened verbally and physically by a group of intoxicated houseguests. The incident occurred in a dimly lit courtyard area leading to the back entrance of the motel.

As a result of the incident the motel made changes to its security procedures including provision of a mobile phone, scheduled 'call-in' from a mobile security car, increased lighting and pruning of trees and bushes in the courtyard area. The guard was also provided with training to assist him in dealing with aggressive behaviour.

SHIFTWORK

Changes in the workplace such as job-sharing, part-time work and more flexible working hours are indicators that shiftwork is increasing. Shiftwork may be stressful as it can interfere with health and safety, as well as family and social commitments. This type of work requires people to work outside 'normal' working hours. (eg. working at night and sleeping during the day). Problems arise because the internal body clock (circadian rhythm) is altered.

Shift-workers and former shift-workers show more signs of ill health than people working regular day work. Health problems may appear after a short period of shiftwork or may not be apparent for some years.

Some health problems associated with shiftwork include:

- disturbed sleeping pattern
- changes in dietary habits
- gastro-intestinal complaints
- depression and other psychiatric disturbances.

Control measures include:

- avoiding work cycles of more than seven continuous days
- rostering staff so that they do not work more than six 8-hour shifts or four 12-hour shifts
- limiting the number of nights worked in succession
- evaluating the length of the shift according to the workload
- reviewing work practices for night shift-workers to incorporate regular safety and security checks
- incorporating scheduled rest breaks during night shifts to help staff maintain alertness
- allowing for alternate weekends off
- providing shift-workers with appropriate training
- avoiding lone workers on night shifts
- avoiding the consumption of alcohol or caffeine before sleeping
- taking additional short rests before and during shiftwork.

SLIP, TRIPS AND FALLS

Slips, trips and falls are a common occurrence in workplaces. People slip and trip on slippery, rough or uneven surfaces and may fall down stairs or off ladders.

The results of slips, trips and falls include broken bones, abrasions, contusions, strains, sprains, back or spinal injuries and other serious injuries. During a slip, trip or fall accident, injury may be caused by over stretching joints, bones and ligaments. Some injuries are caused when injured employees try to correct their balance or attempt to stop falling.

A combination of factors can increase the risk of injury arising from slips, trips and falls:

- insufficient friction between an employee's shoes and floor surface
- slippery surfaces (eg. wet floors)
- sudden transition in floor surfaces from rough to smooth (eg. from carpet to polished timber)
- downwards slopes (eg. ramp) or differences in floor levels
- rubbish, dirt, foreign materials or unsecured matting/carpeting on the floor surface (eg. loose mat or ripped carpet)
- a film of fine dust on the floor
- fine growth (eg. moss on exterior pavements or walkways)
- inadequate floor washing methods leaving grease build-up or detergent residue
- employees' shoes not slip resistance.

Control measures include:

- increase the texture of floor coverings
- improve cleaning methods to prevent build-up of grease/detergent
- provide facilities for umbrellas at entrances
- initiate procedures to ensure regular dust removal or immediate removal of spills followed by 'dry mopping'
- minimise differences in floor levels
- design stairs to meet the requirements of the *Building Code of Australia*
- apply non-slip nosings on stairs
- ensure adequate lighting for internal and external stairs according to the Standard (AS 1680.1 & AS 1680.2)
- provide slip resistant surfaces on ramps
- provide ample storage space, to avoid materials being placed in aisles/walkways
- provide fixed matting in areas where employees are required to stand on concrete for long hours
- set absorbent flooring materials into entrance areas
- use commercial products to effectively remove moss and lichen growth
- remove trip hazards by providing ducting for power, telephone and computer cabling and fixing worn or ripped carpet
- wear appropriate work shoes.

Slip, Trips and Falls Case Study 1

A kitchen assistant in a large club was helping to prepare desserts using a large mixing machine. The assistant noticed a hair in the mixture and leaned forward to remove it. However, in the process, she slipped and fell forward on the wet floor. Her arm was crushed and fractured by the mixer's revolving dough hook.

Slip, Trips and Falls Case Study 2

A cleaner in a hotel had to empty rubbish from small bins into large plastic bags in his work area. When the bags were full, he carried them to a skip near the loading dock. To complete this task he had to cross an area of the dock, which was exposed to the weather.

The flooring of the loading dock consisted of square steel plates. These plates used to have small rectangular indentations to provide a degree of slip resistance. However, the plates had been worn smooth by trolleys and pedestrian traffic. While carrying a full bag in each hand, the cleaner slipped and fell on the wet surface. As he fell, he hit his head on a steel doorframe, causing lacerations and neck injury, which resulted in a chronic disability.

STRESS AND FATIGUE

Stress is a psychological and physiological reaction to some form of pressure being applied to the individual. The amount of workplace pressure that an individual can manage varies according to the amount of pressure experienced in the worker's personal life and the effectiveness of the individual's stress management strategies.

Workplace factors that can contribute to stress include:

- boredom (eg. performing repetitive tasks)
- intensive periods of concentration
- heavy or unrealistic workloads
- meeting deadlines
- dealing with people who are distressed, anxious or aggressive
- violent occurrences
- shiftwork
- poor work conditions (eg. dusty or noisy environment)
- poor personal relationships or conflict with supervisors or other employees
- lack of control over workload or work organisation
- fear of job loss
- lack of job satisfaction
- lack of understanding of the job, as a result of insufficient training or supervision.

Fatigue can also contribute to stress levels and lead to impaired judgement and slow response times. Increased feelings of fatigue and sleepiness at work may also make it difficult for employees to maintain concentration. A worker's level of tiredness generally increases with the number of hours worked and is more pronounced during the second half of a shift, especially between two and six a.m.

Control measures include:

- scheduling appropriate rest breaks to allow time away from the stressful situation, minimise fatigue and maintain alertness
- providing training in relaxation techniques, time management, problem-solving techniques and conflict resolution
- developing assertiveness skills of staff
- encouraging staff to report stressful situations
- providing Employee Assistance Programs which include counselling
- evaluating the length of a shift according to the type of work and employee workload
- reviewing work practices for night shift-workers to incorporate regular safety checks.

Shiftwork and Fatigue Case Study

Due to insufficient staff, a chef in a busy a la carte restaurant was required to work a double shift. Halfway through his second shift, the chef lost concentration and allowed foodstuffs to catch fire. Due to his state of fatigue, he accidentally threw water onto the burning oil, which increased the intensity and spread of the fire. Emergency services were called and the chef received superficial burns to the arms, hands, neck and face.

ULTRAVIOLET (UV) RADIATION

UV radiation is electromagnetic energy. UV radiation is of concern to some workers in the hospitality industry due to the amount of work and length of time spent outdoors. The most common source of UV radiation is the sun. Employees that may be affected include bar attendants in pool areas, ground/maintenance workers in resort complexes and workers in restaurants with outdoor eating areas.

Control measures include:

- changing the job so that a majority of the work is performed indoors or in a location away from direct sunlight
- working in shaded areas using shade from trees, surrounding buildings or structures
- installing awnings, canopies/sails, tents or umbrellas to protect workers
- rotating workers
- changing work times to avoid exposure to sunlight during the hottest times of the day
- introducing work/rest schedules
- providing plentiful and easily accessible cool drinks
- using appropriate PPE - loose long sleeved shirts, broad brimmed hats, wrap around sunglasses, maximum protection sun screen.

VIOLENCE AND AGGRESSION

Violence and aggression in the workplace is often construed as armed hold-ups, taxi-driver muggings or prison riots. However, violence may also involve any physical and psychological harm or distressing, violent or aggressive acts.

Aggression arises from a number of sources including the public, hotel guests, clients, supervisors, managers and other employees. The abuse of alcohol can trigger violence and aggressive behaviour.

Acts of violence and aggression include:

- intimidation or harassment
- uncontrolled anger, frustration or irritation
- verbal abuse
- actual or implied threats to people and/or property
- physical assault
- robbery
- homicide.

Control measures include:

- issuing field staff or staff working alone with portable communication and alarm systems such as mobile phones, portable alarms or radios
- installing high and wide reception counters to protect staff
- providing counter staff with the ability to exit the scene safely
- providing training to staff on how to deal with aggressive client/guest behaviour
- developing strategies for dealing with these situations
- developing cash-handling procedures that discourage robbery.

Violence and Aggression Case Study

A bar worker refused to serve a group of patrons their 'last drink' as they were displaying signs of drunken behaviour. The bar worker tried to explain that he was unable to serve more drinks because it was against hotel's Responsible Service of Alcohol policy. One of the group punched him in the eye, causing severe bruising and a cut that required several stitches. He was off work for several days until the swelling subsided.

WASTE DISPOSAL AND SANITATION

The NSW Waste Minimisation and Management Act 1995 defines waste as:

‘Any substance (whether solid, liquid or gaseous) that is discharged, emitted or deposited in the environment...., or any discharge, rejected, unwanted, surplus or abandoned substance.’

Waste looks unattractive, smells unpleasant and is a health risk to workers and customers. Cigarette butts and wastepaper can pose a fire risk, while sharp objects such as broken glass and razor blades can pose a safety risk. Waste foods can attract pests and encourage harmful bacteria; business documents and confidential papers are a security risk; and used sanitary towels, syringes and clinical waste are hygiene risks.

Control measures include:

- separating paper, rags, cigarette butts and aerosol cans from other dry waste and storing in non-flammable containers
- emptying ashtrays into metal bins with lids
- wrapping bottles, broken glass and crockery, razors blades and other sharp objects before disposal
- dispensing food waste, grease and sticky substances into appropriate units with tight fitting, pest-proof lids
- dispensing sanitary towels in specially treated units using germicide fluid
- shredding security documents and disposing of dry waste
- external collection areas should be well drained and be constructed of non-porous concrete to make cleaning more effective
- depending on the volume of waste, bins should be collected daily.

MODULE 4

OHS

ISSUES FOR SPECIFIC SERVICE AREAS

BAR/RESTAURANT WORK

Bar and restaurant staff work with the public very closely, therefore they must constantly ensure a high level of safety and hygiene.

This includes ensuring:

- safety (eg. undamaged glasses, cutlery and china, monitoring of alcohol sales)
- general hygiene (eg. clean and unmarked glasses, cutlery and china, clean toilets and hand washing facilities)
- personal hygiene (eg. clean hands and clothing).

Low standards of safety and hygiene put the health of customers and other staff at risk. The organisation may find itself in a difficult situation trying to explain why things are not clean (eg. glasses with finger marks, cracks or chips or the remains of someone else's lipstick on the rim).

The sale of alcohol should be monitored carefully in establishments such as clubs, pubs, hotels, cafes, cocktail bars, nightclub and dance clubs. Excess consumption of alcohol can have numerous effects on an individual, from drowsiness to aggressive or violent behaviour. The employer should ensure that staff are aware of the responsibilities in relation to Responsible Service of Alcohol to its customers.

Control measures include:

- washing cutlery, crockery and glasses thoroughly in hot water and detergent
- correct handling of glasses, plates and cups
- scooping ice with a non-breakable plastic or metal container, scoop or tongs –not with a drinking glass
- collecting and disposing of waste regularly and hygienically
- emptying ash trays into special containers that will not catch fire
- following the manufacturer/supplier's procedures when using special equipment
- reporting any faulty equipment, furniture or flooring to the supervisor
- covering open fires with a safety guard
- cleaning toilets frequently and replenishing towels, soap and toilet rolls
- keeping floors clean by sweeping, vacuuming, mopping and dry mopping
- cleaning spills immediately
- promoting good sanitary habits to all staff.

GROUND KEEPING

Ground keeping staff can be exposed to a number of hazards including:

- UV radiation
- hot, cold and wet environments
- hazardous substances
- machinery and flying debris
- animal and insect bites
- biological hazards including plants, grasses and trees.

Control measures include:

- minimising UV exposure where possible
- using shelter from the shade of buildings or trees, shade shelters, canopies, tents or umbrellas
- rotating outdoor work between workers so that it is shared
- changing work routines so that workers are not outside when the sun is hottest (between 10am and 2pm)
- wearing and using personal protective equipment:
 - shirts made of natural fibres (cotton) that are loose, long sleeved and have a collar
 - trousers or knee length shorts
 - hats that shade the head, face, neck and ears
 - wearing close fitting, wrap-around sunglasses (AS 1067: Sunglasses and Fashion Spectacles)
 - using broad spectrum (SPF 15+) sunscreen
 - wearing safety boots
 - wearing reflective vests or tabards
- providing access to drinking water
- encouraging rest breaks
- providing appropriate instruction, training and supervision of workers using mechanical equipment (eg. lawn mowers, mulchers or edge trimmers)
- ensuring that warning signs are observed and tagging procedures are used as appropriate during maintenance
- providing equipment with guards that cannot be removed or disabled
- instructing employees in the use, storage and transport of hazardous substances (eg. pool chlorine)

HOUSEKEEPING

The main reasons for housekeeping activities are to ensure general cleanliness and sanitation of facilities. Cleaning procedures are designed to remove bacteria and any other contaminants, leaving surfaces dry and minimising bacterial survival.

With the spread of infectious diseases, staff should take special care when handling or cleaning anything that might have had contact with another person's blood or other body fluids.

This may include razor blades, syringes, sanitary napkins, soiled sheets and towels, vomit or excreta. It is vital that cleaning procedures do not merely transfer bacteria from one surface to another.

This means:

- maintaining good personal hygiene
- cleaning equipment (including clothes) thoroughly after use and allowing it to dry where appropriate
- cleaning high risk items such as toilets, baths, hand basins, food and drinking preparation equipment and surfaces with items/cloths reserved for that particular purpose.

Control measures include:

- placing warning signs around floors being cleaned
- loading trolleys carefully so that items will not fall off or obstruct the operator's view
- maintaining good housekeeping – don't clutter floor with items removed from shelves
- using colour coded cleaning cloths (eg. red cloths for toilets, yellow cloths for baths and hand basins, and green for general purpose areas)
- wearing gloves when using hazardous substances, handling items or cleaning surfaces that might be contaminated
- disposing of sharp objects in metal or plastic bins
- disposing of or sterilising cleaning equipment used to clean spills of blood, vomit or other body fluids.

KITCHEN, FOOD PREPARATION AND SERVICE AREAS

Much of the equipment used in preparing, cooking and serving food in catering establishments, shops and restaurants is so familiar that it is easy to forget the potential hazard it can present during use, cleaning and maintenance.

Different kinds of accidents occur in workplaces where food is prepared and served. They can cause a range of injuries including:

- strains
- scalds
- serious burns
- lacerations
- fractured bones
- amputated limbs/fingers.

A combination of factors can increase the risk of injury arising from the working environment in kitchens, food preparation and service areas. These include:

- poor kitchen layout
 - limited space to move safely and avoid collision with staff and equipment
 - cramped or inadequate working areas - staff using knives and other hand tools should have adequate room to work safely without risk of accidentally stabbing themselves or another worker
 - insufficient room to move trolleys and to carry trays safely, especially around exposed hot surfaces such as griddle tops
 - obstructing thoroughfares with storage cupboards that have side and bottom hinged doors that open into them
 - incorrect positioning of equipment (eg. deep fat fryer next to a sink)
 - IN and OUT doors not clearly marked
 - catering equipment installed on uneven surfaces or an unsecured base or inappropriate position
 - poorly maintained equipment, especially that which is fitted with casters and brakes (eg. catering or laundry trolleys)
- floors
 - worn, slippery or uneven floor surfaces
 - inadequate drain/garbage disposal systems to remove water, steam and other kitchen wastes
 - minimal provision for spillage
 - inappropriate foot wear i.e. without protective slip resistant soles
 - insufficient storage/layout leading to hot pots and pans being placed on the floor
- lighting
 - inadequate, uneven lighting that reduces handling and cleaning of equipment and products
 - inappropriate position of light fittings that produces glare or shadows
- temperature
 - high temperatures, humidity and poor ventilation.

Control measures include:

- providing adequate space in the kitchen for staff to move trolleys and equipment safely
- ensuring adequate and suitable working areas
- marking IN and OUT doors clearly
- repairing or replacing floor surfaces, or providing suitable matting to increase slip-resistance
- cleaning up spillages immediately
- wearing slip resistant foot wear
- ensuring that passage/walkways are kept clear at all times
- maintaining equipment regularly and reporting faulty equipment, especially that which has casters and is fitted with brakes
- catering departments should be adequately lit (AS1680.1 and AS1680.2)

- providing adequate ventilation with sufficient air exchange to cool the area and counteract humidity
- installing fume extractor fans and circulation fans
- using warning signs and approved safety signs
- cleaning all kitchen equipment and floors regularly
- training staff in the proper use of all kitchen equipment
- providing adequate supervision of employees when using kitchen equipment
- developing and implementing safe work practices.

RECEPTION/OFFICE WORK

The reception or foyer is normally a high traffic area because it is the main entrance to the building. Every customer and guest passes through it during their visit and almost every member of staff will at some time have reason to visit the reception area. Since the reception handles a high volume of inquiries employers and supervisors should consider the scheduling of additional breaks for these staff members.

Because of the large volume of people passing through, a reception area tends to get more soiled and untidy than other areas of the facility. For instance, dust build up, dirty footprints on floors and carpets, sticky finger-marks on furniture and fittings, stray items left in walkways or lounge areas or furniture moved so that it causes an obstruction.

Control measures include:

- ensuring walkways and other thoroughfares are clear of clutter
- regular cleaning and disposal of rubbish from these areas
- maintaining good housekeeping in the reception area
- training staff about procedures for emergencies such as fire, bomb threats, chemical spills and other emergencies
- following the organisation's security procedures at all times
- reporting any suspicious people or circumstances to the supervisor.

TRAINING – AN ORGANISATION'S LEGAL OBLIGATION

Regardless of the policies, systems and controls an organisation institutes, the occupational health and safety program will not function unless employees are sufficiently and appropriately trained.

Training is a specific requirement under the NSW OHS Act. The Act covers:

- training in the use of equipment, substances, work practices and other safety matters
- information relating to work processes and substances, such as warning labels on chemical containers and material safety data sheets
- instruction in how to carry out tasks in a safe and healthy manner
- supervision to ensure that instructions are understood and that the person is capable of carrying out the task.

The employer has a responsibility to ensure that employees have appropriate OHS skills. Access to relevant training helps to ensure that this responsibility is met. All workplace personnel have a right to be trained to ensure their own health and safety and that of others.

The principles of access and equity should form the basis of all education and training activities. The form, content and delivery of OHS education and training must be targeted to meet the needs of particular groups of people, to ensure that all working Australians have equality of opportunity and equity in outcomes.

THE IMPORTANCE OF TRAINING

Training is a planned and systematic sequence of information and instruction, designed to develop or improve predetermined skills, knowledge and abilities required by an individual to perform a task, to a particular standard. Training is usually undertaken by competent supervisors or knowledgeable training staff and can involve various techniques including demonstrations, group or individual exercises, role-playing, case studies and displays.

Some training can be on-the-job for example, instructions are given whilst the employee is in the workplace. Other training can be off-the-job, in a training environment separate from the workplace.

A systematic approach to training allows participants to gain the required knowledge, skills and experience in dealing with situations they face on a daily basis. Good safety training cannot be achieved by an unplanned approach. It should be thoroughly planned, implemented and evaluated. There should be a system in place to continuously improve the training plan.

There are many advantages to a systematic approach to training. These include:

- meeting goals and objectives more efficiently and effectively
 - problem areas can be targeted to allow management to deal with pertinent issues and maximise use of valuable time and resources
- greater employee satisfaction
 - arises from a strengthened competency base, increased self-esteem and confidence of employees
 - provides greater opportunity for advancement and job enrichment
 - encourages a more flexible workforce that responds more easily to changing needs
 - as workers acquire new knowledge and skills, they can put them into practice
 - workers can adapt to workplace incidents and utilise their skills and knowledge in different circumstances and contexts
- cost savings
 - workers are better equipped to deal with the unexpected, therefore minimising disruption to production
 - reduced hidden costs (eg. corrective action for human error)

- reduced errors (eg. when using new systems or computer programs)
- reduced accidents and absenteeism
- reduced labour turnover
- reduced recruitment costs
- reduced set-up and change-over times
- enhanced company image
 - a company's commitment to employees' health and safety is reinforced by conducting systematic training programs
 - the quality and quantity of job applicants may also improve as a result of positive public image.

Effective health and safety training supports organisational objectives and plays an important role in safety management. The management system creates a safety culture that reinforces safe and healthy work practices while training helps provide the knowledge, skills and practice necessary to sustain this culture. Objectives of safety management can not be achieved without systematic training. Training assists the organisation to identify, assess and control hazards and encourages safety as a priority when planning and undertaking any work activity. Training creates an environment within which positive change can occur and provides a forum for improving performance.

SUPERVISOR TRAINING

Supervisors may be responsible for a variety of management functions including:

- meeting production requirements/schedules
- meeting quality targets
- budget controls
- safety management.

Supervisors can promote safety management by consulting with staff and initiating and participating in a range of activities, including conducting section/unit meetings, induction training programs, hazard inspections and reviews of work practices. These actions are pro-active initiatives that will enhance health and safety, productivity and efficiency.

Management should determine the aspects of safety management that supervisors will be required to control and provide the necessary training.

Decisions should be made in relation to:

- which supervisors should be trained
- what training is needed (eg. induction, risk management, emergency evacuation etc)
- who will conduct the training
- internal training versus external training and the use of consultants
- what to include in the training (eg. generic OHS skills and knowledge, specific workplace OHS issues, safe work methods, legislation, OHS responsibility)
- what method of training should be used (eg. self-directed, distance learning, formal, informal, interactive classroom sessions, self paced, computer based etc)
- how will the training be evaluated and reviewed (eg. interviews, performance based, reduced injury or worker's compensation claims, evaluations, formal or informal assessment processes etc)
- how will training be used to assist risk management and continuous improvement processes?

TRAINING IN THE HOSPITALITY INDUSTRY

Information can be used as a tool that supports training. Information must be communicated in a manner that everyone understands. It may not be enough, for example, to give all workers a Material Safety Data Sheet (MSDS) and tell them to read it. This method of communication may not result in acceptance and understanding of the information. It may be necessary to use verbal explanation or other support training such as the use of signs and symbols, or information sheets, such as industry hazard profiles.

OHS information and instruction may be provided in many forms and can relate to a variety of general and specific issues. Some examples could include:

- guidelines
- checklists
- safe work method statements and operating procedures
- MSDSs and labels
- job instruction
- policies and programs
- formal and informal training
- safety signs.

There should be a flow of information from designers, manufacturers and suppliers through to the employees, about any identified risks associated with plant, substance or process. Procedures should be in place to ensure all involved parties are provided with relevant OHS information. To do this, the needs of individuals in terms of subject matter, amount, complexity, type and form of information should be considered. Computer technology is adding to the ways in which we communicate information through an organisation.

Effective communication of information and appropriate instruction, training and supervision are essential to the health, safety and welfare of workers in the hospitality industry. It serves to motivate and encourage understanding and acceptance of OHS systems and is a requirement under the NSW OHS Act.

SYSTEMATIC APPROACH TO TRAINING

Training Needs Analysis

Without access to suitably trained and skilled workers, organisations will experience difficulties. Therefore, organisations need to identify the skills required to undertake a particular job and then arrange to have those skills available on time.

This could mean training existing employees or engaging temporary staff, casual workers or contractors that possess the necessary skills, knowledge and qualifications.

Identifying the skills for a particular job is often a simple task. For example, a workplace safety inspection or the preparation of job instruction checklists might indicate a need for certain skills. Likewise, the results of an accident investigation might have training implications for a current or future project. Magistrates often cite 'lack of training' as a major cause of accidents in the workplace.

On other occasions, however, identifying training needs can be complex, time consuming and expensive. In these circumstances, assistance from a dedicated professional organisation or individual may be required (eg. an employer association, a union or a training consultant).

In any event, the identification of the necessary skills must be part of workplace planning. Once the need for a particular skill has been identified, the role of a manager or supervisor is to document that requirement and act upon it. Training should also cover administrative tasks related to planning for health and safety on the job, such as safety plans, emergency evacuation plans, purchasing procedures and safe operating procedures.

Induction Training

Induction training for all new employees is important. Induction training is the initial training that all employees should undertake before starting in their position. It provides the organisation with the opportunity to train new staff in accordance with their OHS policy and programs. All training needs to consider cultural differences in perception of risks and the needs of workers with non-English speaking background or other special needs.

OHS Risk Management Training

OHS risk management training is based on identifying hazards in the workplace, assessing the risk of those hazards in terms of probability and severity of potential outcomes and determining the control measures that should be implemented to eliminate or reduce the risk. Risk management should be carried out at the

planning and preparation stage of all new activities, where changes occur in the workplace, on a regular review basis and whenever hazards have been identified. It should be done in consultation with employees.

All training should take account of the hazards, risks and control measures identified by the risk assessment process, the nature of the work, workplace and individual job factors. Employees that are trained in the principles of risk management can use basic tools to assist in this process and can contribute to the overall health and safety of the organisation.

TRANSFERRING LEARNING OUTCOMES TO THE WORKPLACE – ROLE OF THE SUPERVISOR

For organisations to benefit and improve their learning outcomes, supervisors should be more actively involved in facilitating and coaching employees within a team environment. There is still a need for providing instructions, controlling work and monitoring employees, however, effective supervisors are able to facilitate the use of employee skills and knowledge, by giving them flexibility and involvement in their work. Self-managed teams are an example of the changing role of the supervisor.

OHS CHANGE MANAGEMENT

Effective health and safety training supports organisational objectives and plays an important role in safety management. The management systems create a safety culture that reinforces safe and healthy work practices, while training helps provide the knowledge, skills and practice necessary to sustain this culture.

Objectives of safety management cannot be achieved without systematic training to identify, assess and control hazards. Activities that reinforce the concepts and application of safety with regard to all persons, activities and situations within the organisation are required. Training creates an environment within which positive change can occur and provides a forum for improving performance.

An organisation should regularly review and continually improve its OHS management systems (OHSMS), with the objective of improving its OHS performance. With this in mind, the OHSMS is best viewed as an organising, framework that provides effective direction for an organisation's OHS activities in response to changing internal and external factors.

As the organisation develops changes to procedures, programs and technologies can be implemented to further improve OHS performance. As the OHSMS matures, OHS considerations should be integrated into all business decisions.

MODULE 6

OHS

CONSULTATION AND COMMUNICATION

CONSULTATION

The employer, management, contractors, employees and their representatives should consult with each other when determining requirements for OHS. Effective consultation and communication ensures that all people at the workplace have the necessary OHS information to ensure health and safety operates effectively in the workplace. Consultation should be used to determine safe systems of work and can assist in identifying appropriate training needs.

Consultation is an informal or formal process that seeks the views of workers before making decisions. Most organisations recognise the value of consultation in utilising the consolidated knowledge, experience and skills of employees to gather information and assist in making decisions. Consultation is important to the risk management process. Those working with or in the immediate area of the identified hazards are usually more knowledgeable about the risk and suitable corrective action.

Consultation with employees can occur at any time. It encourages a sense of involvement and participation in the organisation's OHS issues. People who have been involved in the decision-making process about changes are more inclined to accept the changes and implement safe systems of work more effectively. Generally, consultation results in staff being better informed and more motivated.

Consultation and employee participation in workplace health and safety:

- encourages open and cooperative relations
- provides a forum where OHS issues are genuinely considered and resolved
- identifies OHS concerns and offers solutions
- fosters mutual understanding of OHS solutions
- provides the opportunity for input and involvement.

Some examples of consultation could include:

- discussing and establishing OHS systems
- developing of safe work method statements
- surveys/questionnaires or other forms of feedback
- team meetings
- OHS committee meetings
- union meetings
- management and employee meetings.

Development and review of OHS procedures should include consultation. This should establish the responsibilities of those involved and outline the recognised resolution process for OHS issues.

Supervisors must communicate any information concerning health and safety to all employees under their control and ensure that any OHS matter raised by an employee is investigated and the necessary actions taken.

Joint consultation is a formal process based on the principle that whilst management has the responsibility and authority to make decisions, employees should have the right and opportunity to have an input into those decisions. The OHS committee/OHS Representatives is a joint consultative mechanism under NSW OHS legislation. It comprises employee and employer representatives who meet on a regular basis to discuss and exchange views on OHS.

OHS committees are not the only consultative mechanism that can be used in the workplace. The choice of consultative mechanism will be determined by a number of factors including size and complexity of the organisation, location and geographic spread, management style and participation level of employees. Some organisations may use other forms of consultation, for example, team meetings or departmental talks.

Effective Communication

Effective health and safety communication skills become very important when individuals are required to liaise with management and/or employees. Communication is a process of sending and receiving symbols with meaning attached.

Effective communication occurs when the intended meaning of the sender and the perceived meaning of the receiver is the same. Communication is more likely to be effective when the message is clear, concise and contains appropriate and sufficient information. A shared system of codes or language between the sender and receiver is required.

Effective communication can be achieved by the efficient use of available resources (eg. memos, e-mail, and group meetings). All organisations need effective communication to ensure organisational performance.

Effective communication allows us to:

- gather and provide information
- develop safe work methods
- ensure feedback on performance and results
- state objectives, deadlines and priorities
- gain agreement and consensus on issues
- encourage positive attitudes and morale.

Poor communication may be associated with:

- inaccurate information
- unsafe work methods
- accidents and injuries
- lower productivity
- stress and staff dissatisfaction
- high staff turnover and morale problems.

Effective communication means getting the correct information to the people that need it to complete work safely and efficiently. It encourages feedback to determine if the information has been understood and accepted, or if clarification or additional information is needed. It assists in gaining agreement and developing a positive work environment. Employees that are fully informed and involved in decisions about their work processes are likely to be more motivated to undertake work activities safely and efficiently.

Barriers to effective communication include:

- the environment may pose an external barrier to communication. Factors such as noise levels, workplace layout, ventilation, temperature, use of personal protective equipment (PPE), plant and equipment, work processes or the number of distractions can create barriers to receiving the message
- field of experience is a potential internal barrier to communication. This can include such things as past experiences, beliefs, expectations and attitudes, values, prejudices. Literacy/language differences, socio-cultural factors as well as anything that may be preoccupying the sender or receiver at the time of communication may be a barrier to communication.

Communication in the hospitality industry includes managers, supervisors, employees, internal and external experts, sales representatives, designers/manufacturers/suppliers, engineers, contractors, government officers and consultants. Everyone needs a means of ensuring that their messages are understood.

The flow of communication is the way in which information is transmitted throughout the organisation, where messages originate from and how they reach others. Horizontal communication is between workers or across the work group, whereas vertical communication originates from management down to employees or from employees up to management.

Supervisors play a key role in the communication process. They may need to develop communication skills in:

- interviewing (eg. as part of an OHS investigation; counselling; obtaining information)
- reporting information at meetings or other forums and discussions (eg. OHS committee, management or supervisor groups)
- effective listening
- note taking
- problem solving
- report writing.

OHS COMMITTEE – ONE FORM OF CONSULTATION

OHS committees play a vital role in maintaining adequate health and safety standards in the workplace. They are the link between employees and employers, and have a dual role that involves:

- working in consultation with the employer to provide a safe and healthy workplace
- intervening/making representation (on behalf of employees) when it appears that an OHS problem is not resolved.

OHS committees established under the NSW OHS Act provide a forum that facilitates communication and consultation. Under the NSW OHS Act there is a legal requirement for employers to establish an OHS committee if:

- there are 20 or more people employed at the workplace and the majority of those people request the formation of a committee, or
- if WorkCover directs that a committee be formed.

Steps involved in forming a committee include:

- define the workplace, considering such aspects as the workplace location and size, work activities that are undertaken, hazards and risks, methods of communication and the composition and characteristics of the workforce
- conduct a vote of all employees, either at a general meeting, by ballot or petition - the majority of workers must want the committee
- formally notify management in writing of the results of the vote, and if the majority of employees want a committee, request that a committee be formed -by law, the employer must agree to forming the committee as soon as practicable
- hold a meeting of employees to determine the make-up and aims of the committee and the method of electing employee representatives to the committee - at least one week's notice of the meeting should be given
- call for nominations and conduct an election for employee representatives
- management must nominate employer representatives that have delegation to make OHS decisions
- the employee representatives of the new committee must then elect one employee representative to be the committee chairperson
- all members of the committee must attend compulsory WorkCover NSW accredited training
- the committee should develop a constitution to support general aims and to ensure that effective meetings occur.

Functions and powers of the committee include:

- help to develop OHS policy, safe systems of work and a safe working environment
- help to develop appropriate accident and hazard reporting systems
- monitor OHS measures taken to ensure maintenance of safety equipment
- review any OHS measures taken

- bring to the attention of the employer and investigate any OHS matters thought unsafe or a risk to health
- attempt to resolve any OHS matter, or ask a WorkCover NSW Inspector to assist
- make recommendations to ensure health, safety and welfare
- carry out inspections at least every three months, or at any time with employer approval, or whenever an accident/hazardous situation occurs
- obtain information about proposed health and safety changes, accidents and diseases and risks relating to plant and substances
- recommend OHS training and education for particular groups at the workplace.

Rights and duties of the committee include:

- hold meetings at least every three months or whenever the chairperson calls a meeting - an agenda should be circulated and minutes recorded
- display copies of the minutes for all employees to read
- committee members must not disclose information about manufacturing processes and substances or commercial secrets, unless formal approval has been given or by court order
- store all records of the committee with the employer, who must ensure that the records are available for access by members of the committee
- undertake WorkCover NSW accredited workplace committee training
- additional training should be provided by the employer as required
- committee members must be trained during work time and are entitled to be paid while attending to committee business or committee training
- employees cannot be dismissed or their job altered for being a committee member or for performing their duties as a committee member.

Employees are encouraged to use their OHS committee as a mechanism for resolving OHS issues. It should however, be recognised that there is sometimes overlap between OHS issues and industrial issues. Other grievance mechanisms should be available to allow employees to determine the most appropriate avenue of resolution for their problem.

Many companies have policies and procedures concerning the resolution of OHS issues. Sometimes this includes a formal resolution procedure.

In general, the basic steps for resolving an OHS issue should include:

- talking to your immediate supervisor
- raising your issues with the OHS committee
- referring the issue to your OHS coordinator or manager
- talking to the appropriate union
- contacting WorkCover NSW for advice.

SUPERVISOR INTERACTION AND LIAISON WITH THE OHS COMMITTEE

Supervisors play a vital role in improving health and safety in the workplace. They have certain legal responsibilities for occupational health and safety including:

- preventative strategies
 - supervisors are responsible for identifying hazards and eliminating or reducing the risk of hazards
- improvement of workplace health and safety
 - make suggestions about their section/work activities
 - direct the flow of work: *what improvements can be made?*
 - consider the machine design: *how could it more safely do the job?*
 - provide information/instruction/training: *what safety training needs to be provided?*
 - improvements in housekeeping: *what practices will make the areas safer?*
- ongoing risk management
- take corrective action where needed
- implement OHS policy and programs
- monitoring and reporting.

Supervisors and managers who fail to act in relation to an OHS issue may be prosecuted under section 50 of the NSW OHS Act. Their actions may be determined by their position, level of authority and their ability to influence the workplace activities.

Case Study - Supervisor fined for failing to help injured worker

A roof insulation supervisor who left a fellow worker lying on the ground after he fell from a ladder was recently fined. The Court heard that an ambulance was not called for at least an hour even though the injured worker twice appealed to the supervisor for help. The injured worker was eventually taken to hospital with a sore back, sunburnt eyes and dehydration.

The supervisor was successfully prosecuted under section 21A(2)(a) of the NSW OHS Act 1983 for refusing a reasonable request for assistance relating to injury in the workplace - the maximum penalty being \$50 000. When making his decision, the Magistrate stated that, '...Everyone in the workplace has a responsibility under the law to come to the aid of a workmate who may have been injured'.

RESOLVING OHS DISPUTES/ISSUES

Accidents in the workplace result in approximately ten times more lost time than industrial disputes and in some circumstances it is an unresolved OHS issue that leads to industrial action. Employers are legally required to provide safe, healthy work conditions, under both OHS and Industrial Relations legislation. Employers should ensure that they are aware of all their obligations and take appropriate steps to meet their responsibilities.

Employees also have specific responsibilities to meet OHS and Industrial Relation requirements to improve working conditions. These include obeying safety rules and carrying out their work in a manner that protects themselves and their fellow workers. Individual employees are not expected to deal with serious OHS problems. Obviously, though, if there is an immediate hazard that can be fixed, employees should take some steps to report it or repair it, if it does not put them at risk.

STEPS TO RESOLVING OHS ISSUES

Raise the concern with the supervisor

The supervisor should be able to deal with occupational health and safety concerns raised by employees. If dealing with the concern is beyond the authority of the supervisor, the supervisor should refer the problem to higher management.

Approach the OHS committee or union representative

If the supervisor or management fails to resolve the problem within a reasonable period, then the issue could be brought to the attention of the OHS committee. The committee may need to undertake an inspection or gather additional information to assess the problem, before deciding on possible solutions. If there is no OHS committee in the workplace, the issue can be raised with the union.

Contact WorkCover NSW

Most problems are solved before reaching this step. If the problem remains unresolved, WorkCover can be contacted for assistance. An inspector may visit the workplace, assess the situation and offer guidance or advice. The inspector may also impose a prohibition or improvement notice if necessary. If the employer still fails to deal with the problem, WorkCover may consider prosecution.

CHANGES IN SUPERVISORY SKILLS – CONFLICT RESOLUTION AND PROBLEM SOLVING

The new role of supervisor places greater emphasis on facilitating and coaching within a team environment. This involves the supervisor taking an interest in their employee's development over a longer period, not simply controlling day-to-day matters in relation to production or work performance.

Supervisors should spend more time on:

- helping team members to improve work-related skills and knowledge
- develop people's consultative and interpersonal skills
- coaching and counselling team members
- motivating the team towards achieving their goals
- creating a positive work environment where conflict is handled constructively
- implementing change constructively.

Problem solving skills of supervisors are essential in all instances where there is a need to come to an agreement with a number of people. There are several steps that the supervisor should follow to efficiently find a solution to the problem.

These steps include:

Effective listening

The supervisor has to be a good listener. A common reason for grievances is that the employee feels that nobody is listening when an issue is first raised. They then become frustrated when they feel they are being ignored. Once resentment builds up, this leads to actions that may be out of proportion to the nature of the issue.

Defining the problem/issue

The supervisor must try to obtain a clear understanding of the problem. What may seem a simple complaint initially, may uncover deeper issues.

Generate possible solutions/gain agreement where possible

If the problem can be handled within the limits of the supervisor's authority, a quick decision should be made and a resolution found. If it cannot be resolved at the supervisory level, it should be passed on to the next level of management and/or the safety committee for assistance. The supervisor needs to keep the employee informed of the status of their problem.

Consultation with the employee

The supervisor will have greater success at solving the problem if they involve the employee(s) that raised the issue initially. If the employee feels that they have been involved in the resolution process, they often reach an agreed resolution quickly.

Develop referral criteria

The supervisor should develop criteria for handling problems at this level or referring them to the appropriate person.

TEAMWORK AND OHS

OHS should be approached at a team level. An effective OHS committee or consultative mechanisms are likely to lead to increased safety awareness in the workplace in which they operate. If all members of the team can influence the OHS decision-making process, the workplace becomes more effective in resolving OHS issues. Through a team approach to OHS this will improve levels of cooperation and communication between management and employees.

The self-managing team is the key to embedding occupational health and safety ideals in practice. It is an effective mechanism for recognising, stimulating and supporting individual learning and for converting this into organisational knowledge.

The supervisor and team members should have clear responsibilities for OHS. Traditionally, managers and supervisors have had responsibility for OHS, risk management, discipline and quality control. In a team-based approach, team members need considerable time and support to learn about OHS because much of the responsibility is devolved to them.

INDUSTRIAL RELATIONS OVERLAP WITH OHS

In addition to OHS legislation responsibilities, employees are also affected by industrial relations legislation. This is because they are usually undertaking work activities under some form of employer/employee contract. Industrial relations legislation, awards and industrial agreements focus on conditions of work, of which a healthy and safe workplace is an agreed entitlement.

Registered awards and enterprise agreements are industrial agreements that list negotiated working conditions such as pay, holidays, shift allowances, hours of work, sick leave and special leave, travel and meal allowances, overtime rates, tool allowances, study leave and maternity leave. An industrial tribunal, as a result of arbitration or conciliation determines an award.

Whilst industrial relations and health and safety are separate pieces of legislation, they are interrelated and cannot always be clearly delineated. A safe and healthy workplace is considered an important right of all employees.

OHS matters can also be included in awards and enterprise agreements. Examples include:

- integrating OHS into organisational objectives
- integrating OHS considerations in all organisational procedures, such as the purchasing of equipment, design of plant and layout of worksite
- consultative arrangements which accommodates the organisation's structure
- providing specific OHS training and including OHS competencies in on-the-job training
- providing details of OHS management programs such as the provision of incident reporting and regular auditing of OHS hazards
- setting goals for specific hazards or OHS issues, such as the reduction of the number of chemicals used
- changes to workplace systems which improve occupational health and safety
- frequency with which personal protective equipment will be replaced
- undertaking health or environmental monitoring for particular hazards and providing details about the program
- detailing specific work/rest periods relating to environmental conditions (eg. temperature or wet weather)
- providing details of the training employees will receive
- an employer's commitment to continuing improvements in OHS.

Most unions have prepared guidelines that allow reasonable and decisive action to be taken if a situation arises in the workplace that threatens the health and safety of employees.

Legislation obliges supervisors and managers to be responsible for the health and safety of employees through supervision. This requirement may be supported by appropriate disciplinary procedures when individual employees fail to comply with health and safety provisions.

An acceptable disciplinary procedure must be fair and equitable to all. Unfair discipline can lead to various forms of industrial dispute – bans, limited work bans or stoppages. Therefore, every organisation should have an appropriate disciplinary system (including warning or counselling) for employees who consistently fail to comply with established health and safety rules, procedures and instruction. All employees who have the authority to give warnings to other employees – from supervisors upward – should be familiar with such systems and ensure that they are implemented appropriately. In some instances, supervisors should seek assistance from their human resources specialists to ensure due process.

OHS DOCUMENTATION/RECORD KEEPING PROCESSES

REASONS FOR DOCUMENTATION

OHS requires documentation to be kept. The legislation imposes an absolute duty on employers to ensure health and safety, which can only be mitigated by demonstrating reasonable and practical levels of control. Records and documentation may be used in support of this claim. In particular, risk management processes can show due diligence. At each stage of the risk management process, documentation should occur and include assumptions, methods, data sources and results.

Documentation can:

- demonstrate that OHS processes are conducted properly
- provide a record of risk assessment
- provide relevant decision makers with a risk management plan for approval and subsequent implementation
- provide an accountability mechanism and tool
- facilitate continuing monitoring and review
- provide an audit trail
- share and communicate information
- provide evidence of action taken.

Decisions concerning the extent of documentation should take into account the above factors and may also involve consideration of the associated costs and benefits.

TYPES OF DOCUMENTATION

Hazard Identification Checklist

Checklists are widely used instruments and are ideal as a starting point in workplace health and safety inspections. Checklists must be flexible enough to allow items that are not listed on the check sheet to be considered. They should be used as a guide to assist in the process of inspections rather than an absolute tool.

Checklists are beneficial in providing a means of measuring performance against a predetermined standard. In order to achieve some reliability, there must be consistency in applying the checklist and recording results. Consistency is gained with practice by conducting workplace inspections and comparing results with others or against previous inspection checklists.

Inspection Documentation

The checklist used in workplace inspections and the resultant reports and supporting materials are important records that provide valuable information to assist in OHS decision making.

Documentation should be seen as an organisational asset. As there is always considerable effort and expense associated with workplace inspections, it would be wasteful not to fully utilise the information. The reports generated through workplace inspections could identify opportunities beyond the identification of hazards and accident causation factors. Inspections can also identify opportunities for increased production, improved maintenance techniques, waste reduction and increased efficiency, all of which can contribute to an improved, more productive and safer environment.

Safety Audits

The safety audit subjects the whole work system to closer examination. The work system includes both the work environment and the management environment. The management environment has responsibilities that are reflected at the workplace in specific quantifiable terms. The need to establish standards that measure variables such as the provision of information, the adequacy of instruction and training and the levels of co-operation and consultation, are now imperative as these matters have been factored into the legislation.

Safety audits function in a similar way to financial audits. Both look at the underlying strengths and weaknesses of the system, the controls and the performance indicators. The system is checked and evaluated to identify compliance with legislation and standards and to highlight any hidden risks that could threaten the organisation or its employees' well being.

Safety auditing focuses on evaluating the effectiveness of the organisation's health and safety management strategy.

For example:

- to assess the operational risks, including the identification of hazards, potential hazards and accident causation factors
- to carry out a critical review of the organisation's administrative arrangements, to ensure compliance with any legal requirements and to measure performance against a set of standards.

The safety audit is designed to take account of quantitative information available through data of injuries, incident reports, insurance claims, accident reports, first aid records and any other documents that can provide an indication of performance. In looking at the administrative structure, attention is drawn to the support mechanisms that provide the foundation for hazard management and accident prevention.

These include:

- policy development
- training strategies
- planning schedules
- target and objectives setting
- consultation arrangements
- communications and information systems
- grievance resolution systems.

Hazardous Substances Documentation

A hazardous substances register lists all of the hazardous substances used or stored by an organisation and includes details about quantity and location of substances. It is an essential record that must be kept up-to-date. An Emergency Services Manifest should also be prepared and stored at an agreed location where fire, explosion or spill would not make it inaccessible. This manifest describes location; type and quantities of various chemicals used or stored on the site and provides information to assist emergency personnel in the event of an emergency. Emergency procedure guides and safe storage and handling information should be obtained from manufacturers and suppliers of the chemical or from Standards Australia.

The employer must also keep induction and ongoing training records and assessment reports about health and environment monitoring. Reports about risk management of hazardous substances must also be maintained.

Training Record Documentation

It is essential that employee participation in training programs be recorded. Training records can be used to identify new or untrained workers, those needing retraining and can be used as proof that the company has fulfilled its obligation to provide adequate information, instruction and training to workers. Minimum information includes the trainee's name, the job for which he/she is being trained, the date and period of time when training took place, the training content and comments by the trainer.

This approach is useful when considering the future development of the individual worker and possible improvements in the training system.

Minutes

Minutes are the official record of the proceedings of a meeting. A court of law will accept signed minutes as 'prima facie' evidence, therefore accurate recording and adequate safekeeping of minutes is important. Minutes should show decisions, actions and key points in order to be an effective future reference.

Copies of the OHS Committee minutes should be provided to each member of the committee and the employer as soon as possible after the meeting. Copies of the minutes should be displayed or made available by other means, for the information of employees.

Register of Injuries

Employers must keep adequate accident records. The workers compensation legislation requires that these records be kept in the form of an accident register. The importance of these records is two-fold.

Firstly, they are a record of an incident occurring at work. This is important in cases where a seemingly harmless cut or strain leads to more complex problems requiring treatment, time off work and a workers compensation claim.

Secondly, the information can be used to identify, assess and control the hazard responsible, as well as implement appropriate training where necessary.

If the worker is unable to return to their usual duties for more than seven continuous days, a *WorkCover Notification of Accident Form* must also be completed and forwarded to the local WorkCover NSW office. The form must be completed even if the worker is on suitable duties.

WORKCOVER NOTIFICATION REQUIREMENTS

Notification of accidents causing death or serious personal injury

Under section 86 of the NSW OHS Act, an accident that occurs at a place of work must be notified if it causes death or serious personal injury to an employee or any other person at that place of work. A serious injury is one that results in the employee/non-employee being unable to attend work and perform their usual duties, for a continuous period of at least 7 days.

Notice of any accident causing death or serious injury must be given by the employer (or person in control of the place of work) as soon as practical but no later than 7 days after the accident occurs.

Notification of work-related illnesses

Under Section 86 of the NSW OHS Act, an illness, which occurs at a place of work and results in the employee being unable to attend work for a continuous period of at least 7 days, must be notified. A work-related illness is a disease, which is contracted by an employee in the course of employment at a place of work and to which the employment was a contributing factor. It can also be the recurrence, aggravation, acceleration, exacerbation or deterioration of any disease contracted by an employee.

Notice of any such illness must be given by the employer (or person in control of the place of work) as soon as practical but no later than 7 days after the illness occurs.

Notification of Non disturbance incidents

A Non disturbance incident is one that occurs at a place of work and must be notified under section 87 of the NSW OHS Act. The employer or person in control of the place of work must give notice of the Non Disturbance Incident as soon as practical and must secure the area around the incident for 4mtrs. The area shall remain secure until released by WorkCover Inspector.

Non Disturbance Incidents include:

- an injury to a person that results in the amputation of a limb
- the placing of a person on life support
- loss of consciousness of a person caused by impact of physical force, exposure to hazardous substances, electric shock or lack of oxygen
- damage to any boiler, pressure vessel or refrigerating plant
- major damage to any plant, equipment or other thing which endangers or is likely to endanger
- damage to any load-bearing member of, or the failure of any brake, steering limiting device or other control device of, a crane, hoist, conveyor, lift, escalator, moving walk, plant, scaffolding, gear, amusement device or public stand,
- uncontrolled explosion, fire, or escape of gas, dangerous goods or steam or any other occurrence involving imminent risk of explosion, fire or escape of gas, dangerous goods or steam or of death or serious personal injury to any person or substantial damage to property
- a spill or incident resulting in exposure to a notifiable or prohibited carcinogenic substance (as defined in Part 6.3)
- entrapment of a person in a confined space
- collapse of an excavation
- entrapment of a person in machinery
- serious burns to a person.

MODULE 8

WORKPLACE INJURY MANAGEMENT AND WORKERS COMPENSATION

Workers compensation legislation in New South Wales aims to protect workers against financial loss and the associated problems resulting from injuries at works.

Managers and those persons in a supervisory position should be prepared to handle the legal and human relations issues that arise following a workplace injury or illness.

INJURY MANAGEMENT AND WORKERS COMPENSATION LEGISLATION

The Workers Compensation Act 1987 and the Workplace Injury Management and Workers Compensation Act 1998 cover NSW employees. The 1998 Act emphasises the need for work injuries to be managed at the workplace with the objective of ensuring that an injured worker receives early and effective treatment. Returning the worker to maximum productivity is the shared responsibility of the treating doctor and the employer. The insurer has the responsibility of overseeing the development of injury management plans for all significant injuries.

The term **injury management** encompasses the activities associated with ensuring an early, safe and durable return to work of a worker following a workplace injury.

The **injury management program** identifies and collates all aspects of injury management – treatment, rehabilitation, retraining, claims management and employment management practices – to ensure the safe and early return to work of workers. This is the blue print developed by insurers and adopted by employers to ensure that agreed procedures are in place prior to an injury occurring.

When an injury occurs, an **injury management plan** will be developed for the injured worker. This plan will concentrate on the treatment, rehabilitation and retraining of the injured worker. The insurer is responsible for ensuring that the plan is developed for the individual in conjunction with the employer, employee and treating doctor.

Employer Responsibilities

Employers must:

- have a current workers compensation policy for their workplace
- comply with the current relevant rehabilitation guidelines for employers (including where practical, the provision of suitable duties if the worker cannot perform their usual job)
- talk with the worker's treating doctor and insurer about the injury management plan and proposed return to work
- designate a rehabilitation coordinator if the organisation's tariff premium is more than \$50,000
- not dismiss an injured worker because of injury, within six months of the injury occurring.

To ensure employers meet their legal obligations, an employer should:

- contact their insurer about the injury management program
- review their current return to work (rehabilitation) program to ensure consistency with the insurer's program
- ensure all policies and procedures are up to date
- inform workers of any changes.

EMPLOYEE RIGHTS & RESPONSIBILITIES

An injured worker has the right to:

- choose their own treating doctor
- choose their own Accredited Rehabilitation Provider
- be actively involved in their return to work plan.

An injured worker must:

- nominate a treating doctor in the case of injury
- cooperate in their return to work program
- provide accurate information about their claim
- attend medical and rehabilitation assessments
- make all reasonable efforts to return to work with their pre-injury employer as soon as possible.

INSURER RESPONSIBILITIES

The insurer has the responsibility to:

- accept or deny liability for a claim
- establish and maintain an Injury Management Program and lodge it with WorkCover NSW
- advise employers of the need for and requirements of an Injury Management Program
- contact the worker, treating doctor and employer within 3 days of notification of the injury, if the worker is likely to be off work for 7 days or more
- ensure that an Injury Management Plan is developed for the injured worker.

NOMINATED TREATING DOCTOR

An injured worker must nominate a treating doctor who will agree to coordinate all aspects of the worker's treatment and return to work.

Nominated treating doctors must:

- provide appropriate medical certification of incapacity and medical reports relating to the worker's fitness for work
- participate in the Injury Management Plan and provide/arrange appropriate treatment
- recommend suitable duties that the injured worker is capable of performing
- be available to discuss the worker's injury management with the employer, insurer and other service providers.

INJURY MANAGEMENT CONSULTANTS

Injury Management Consultants are approved by the Workers Compensation Advisory Council to assist insurers, employers and treating doctors when there is disagreement over the appropriateness of suitable duties that are offered by an employer. Injury Management Consultants are required to have experience in injury management and must have attended a specific WorkCover NSW mediation course.

APPROVED MEDICAL SPECIALISTS

Medical advice is an integral part of workplace injury management, however difficulties or disagreements may occur when attempting to involve the treating doctor in the return to work process.

Approved medical specialists are appointed by the Workers Compensation Advisory Council subject to agreement of the parties concerned. They are the final arbiters of disputes over assessments of incapacity and employability. Intervention by these specialists should reduce the need for medical panels in disputed claims.

COMPENSATION FOR INJURY AND ILLNESS

Workers compensation insurance covers all work-related injuries or illnesses irrespective of whether the employee is full-time, part-time or casual.

Workers compensation insurance also covers injury and illness that occurs to workers outside of the workplace while carrying out their normal duties. For example, where workers make deliveries, install or erect plant or equipment or make sales or service calls to another workplace, the legislation still covers workers in the event of accidents, resulting in injury or personal property damage.

In NSW, the workers compensation system is a no-fault system. This means that workers are entitled to claim workers compensation payments for any injury or illness resulting from carrying out their duties.

Entitlements

Provided an injury or illness is defined as work related, entitlements include:

- medical expenses including visits to the doctor and any other related expenses for x-rays, blood tests and pharmaceuticals
- hospital expenses, costs of hospital accommodation, surgery and all tests conducted by hospital staff (eg. x-rays and pathology)
- weekly benefits at the rate determined by legislation
- compensation for damage to personal items
- possible lump sum benefits for permanent incapacity for loss of, or loss of use of, parts of the body
- benefits for on-going pain and suffering from an injury or illness
- death benefits, and
- any reasonable request for rehabilitation.

Weekly Benefits

If the insurer accepts a worker's claim, the worker may be entitled to weekly benefits as follows:

- if a worker is unfit for work they may receive their award wage for a period of 26 weeks, followed by a rate fixed by legislation, until they are fit for suitable or pre-injury duties
- if the worker is back at work on suitable duties and not earning their pre-injury wage, they may receive the difference between the pre-injury and current wage
- if the worker is not at work but is fit for suitable duties, the worker may receive weekly benefits for up to 52 weeks, after which the insurer assesses what the worker can earn and pays them the difference between that and their pre-injury wage.

While off work, a worker cannot receive their award wage for longer than 26 weeks.

Claims Procedures

To make a claim a worker must:

- tell the employer as soon as possible
- visit a doctor and obtain a WorkCover NSW medical certificate
- fill in a workers compensation claim form supplied by the employer
- attach the medical certificate and relevant receipts to the claim form
- forward the claim form and attachments to the employer.

The employer must notify the insurer within 48 hours of learning that an employee has suffered a significant injury. A significant injury is one that results in an employee having 7 or more days off work. The employer must send the worker's claim for workers compensation to the insurer within 7 days of receiving it from the injured worker.

Within 3 working days of being notified of a significant injury, the insurer must initiate action under the Injury Management Program and contact the worker, employer and if appropriate the worker's treating doctor with a view to developing and implementing an **injury management plan** for the individual. The insurer has 21 days from the day the employee makes the claim to accept or deny liability for the claim.

WORKPLACE INJURY MANAGEMENT PLANS AND RETURN TO WORK PROGRAMS

A Return to Work (rehabilitation) program is developed by the employer. It establishes the organisation's policy and procedures in relation to getting injured workers to return to their pre-injury positions at a rate that accommodates their rehabilitation needs.

Category 1 employers (employers whose base premium is greater than \$50,000) must have a written workplace return to work program displayed at places of work and must appoint a trained rehabilitation coordinator.

Category 2 employers (employers whose base premium is \$50,000 or less) must have a written return to work program (may use WorkCover's standard programs) which must be either displayed or made available to workers who are injured or who request it.

A Return to Work Program consists of two major components, a policy and procedures.

Return to Work Policy

The Return to Work policy is a statement of intent made by the employer, including general guidelines for decision making, setting directions and creating the boundaries within which decisions can be made. It forms the basis of the employer's approach to injury management.

An effective Return to Work Policy should include:

- strategies for the prevention of occupational injury and illness
- early commencement of occupational rehabilitation
- early return to work as a normal expectation
- provision where practical, of suitable duties/employment as an integral part of the rehabilitation process
- consultation with workers and, where requested or applicable, any industrial union of employees representing those workers.

Return to Work Program

A program provides the means to implement the policy. It is a detailed set of instructions that should be followed once a workplace injury has occurred.

Principles of an effective return to work program

The success of an organisation's return to work program depends on a range of factors, including:

- early intervention - the earlier rehabilitation action is taken, the earlier the health effects will be satisfactorily resolved
- participation of the injured worker in the rehabilitation process - empowers the injured person and increases their level of control over the situation
- provision of suitable duties - encourages early return to work
- involvement of an Accredited Rehabilitation Provider in cases of serious injury - provides a full range of services to facilitate recovery.

A Return to Work Program should:

- identify the rehabilitation coordinator and their role
- identify agreed Accredited Rehabilitation Provider(s)
- state methods for developing individual rehabilitation programs and case management for individual workers
- ensure provision of suitable duties/employment
- include mechanisms for consulting workers
- include mechanisms for resolving disputes.

A Return to Work Plan is developed for the individual based on the organisation's Return to Work Program and the individual's specific circumstances and rehabilitation needs. A Return to Work plan is part of the individual's complete Injury Management Plan.

ACCREDITED REHABILITATION PROVIDERS

Accredited Rehabilitation Providers:

- provide specialised assistance to employers by assisting injured workers to return to work
- are accredited by WorkCover NSW
- are health professionals including physiotherapists, occupational therapists, counsellors and doctors that comprise a multidisciplinary team.

When to use an Accredited Rehabilitation Provider

Accredited Rehabilitation Providers should be considered when:

- a worker is off work for 3-4 weeks or more
- there is difficulty in identifying suitable duties
- a worker requires education about safe work methods
- a worker is permanently unable to return to pre-injury duties
- management considers the need for expert assistance.

How to choose an Accredited Rehabilitation Provider

Obtain a list of currently Accredited Rehabilitation Providers from WorkCover NSW and select an appropriate provider close to your workplace. Contact the managers and explain the nature of the business and the range of injuries experienced by workers in the organisation.

Try to establish whether the provider has expertise with particular injury groups, is familiar with industrial relations issues and offers additional services that may be of value to the organisation.

When managing an Accredited Rehabilitation Provider, employers should:

- make clear statements concerning what is required from the provider
- manage their input as other consultants would be managed
- provide sufficient information about the workplace and the range of work involved.

THE SUPERVISORY ROLE IN EFFECTIVE WORKPLACE INJURY MANAGEMENT

Appropriate allocation of tasks

The aim of effective workplace injury management is to encourage employees to return to work as soon as possible by providing suitable duties. Supervisors should consult with the injured worker to determine appropriate tasks that can be undertaken by the employee without risk to health. The chosen tasks should be complimentary to the employee's skills and capabilities. Tasks that are productive and meaningful will maximise the employees' participation and productivity in the program.

Monitoring performance and providing assistance and support

The supervisor must monitor performance and provide assistance and support to the injured worker wherever possible. The employee may feel depressed, have low self-esteem in the work environment, may have difficulties in achieving established tasks or may require adjustments to suit their needs. The injured worker's contribution to the organisation is worthwhile and the supervisor and other team members should reinforce this.

Support of other team members

The supervisor must support the other members of the team while the injured worker is being rehabilitated. The selection of suitable duties for the injured worker should not adversely affect other team members. The supervisor should be aware of possible demarcation disputes or perceived favouritism of the injured worker. Appropriate information about workplace injury management should be provided to team members and suitable interim arrangements should be in place to ensure fair and equitable allocation of work or support services, if required.

Implementation and review of plans and programs

Once the injured worker's return to work plan has been established, the supervisor must ensure that it is followed on a day-to-day basis. Their task is to supervise the injured worker in their activities/tasks as outlined in the return to work plan. The rehabilitation coordinator or OHS manager may call upon the supervisor to provide progress reports.

EMERGENCY MANAGEMENT

EMERGENCIES

Occupational Health and Safety Management Systems (OHSMS) focus on prevention of illness, injury and damage to plant or the environment. However unplanned incidents can and do happen. The organisation should plan for such emergencies in advance and periodically test these plans to ensure that adequate response occurs during an actual emergency.

An emergency is a situation due to an actual or imminent occurrence which:

- endangers or threatens to endanger, the safety and health of people, or
- is a dangerous situation that needs urgent attention to bring it under control, fix the cause and establish a safe workplace.

Some workplace emergencies could arise from situations such as:

- fire
- explosion
- power failures/major electrical hazards
- natural disasters (eg. earthquakes, floods cyclones)
- escape of hazardous materials (eg. gas leak, chemical spill)
- failure of utilities (eg. water)
- civil disturbances
- bomb threats
- structural fatigue that may result in collapse
- someone requiring urgent medical attention

and these must be controlled (cl 9,10,11, and specifically cl 17(2) , cl 62.).

Emergencies in the hospitality industry must be appropriately and adequately planned and prepared for - an urgent, significant and coordinated response is required. Apart from employees in the workplace, the hospitality industry usually has large numbers of people/crowds that must be considered in an emergency. An effective OHS management system should include contingency plans for emergencies.

Emergency planning aims to:

- reduce the level of risk to lives, property and the environment
- control any incident and reduce its impact on the workplace
- provide the basis for training of all personnel who could be involved in any emergency in the workplace.

The management team is responsible for planning to meet all eventualities in the workplace. Supervisors, line managers, team leaders, senior crew members, OHS representatives and those with identified and delegated roles and responsibilities, are responsible for carrying out and assisting in the effective response to all emergency situations.

To avoid the chaos which can follow from some types of emergencies, key designated members of the workplace emergency team must be capable of taking command, opening communication links and making decisions on immediate priority requirements for their areas of responsibility. They should be familiar with and strictly follow the emergency response procedures detailed in the emergency plan. Ongoing and regular training and practice drills in emergency responses are crucial to the success of the emergency plan.

The key to effective emergency response lies in being thoroughly prepared. A formal written plan specific to the organisation and the workplace should be developed and communicated to all workers. It should

account for all foreseeable emergency situations by clearly defining the tasks to be performed, responsibilities of people assigned to perform the tasks, training of all staff in their roles, provision of adequate plant, appropriate communication and safe work methods.

Hazards resulting from possible emergency situations must be identified, assessed and appropriate control measures adopted to eliminate or minimise the risk. The management group in consultation with the OHS committee and other relevant parties must carry out a documented risk assessment which:

- identifies all hazards which may lead to major accidents, incidents or near hits in the workplace
- identifies the type, likelihood and consequences of any major accidents, incidents or near hits that may occur
- assesses the risks posed by those hazards (**cl 9,10,11, and specifically cl 17(2) , cl 62.**)

The risk of the hazards must then be controlled by:

- eliminating or minimising risks that emergency situations pose
- implementing technical measures to minimise the likelihood of a major accident, incident or near hit
- implementing measures to limit the consequences of a major accident, incident or near hit
- protecting people, property and the environment from the effects of a major accident, incident or near hit by establishing site specific emergency plans and procedures.

Essential elements of emergency response plans include:

- appropriate policy
- establishing a planning and review committee
- identification of key employees and their responsibilities
- general description of anticipated emergencies and the specific risks associate with them
- identification of possible outcomes
- development of an emergency manifest for emergency services
- development of a work site plan showing general layout, location of emergency equipment, medical and first aid services, fire control equipment, coordination centre, evacuation procedures, routes and assembly points
- procedures for shutting down plant and processes
- procedures for contacting emergency services and a current list of contacts
- development of a critical incident recovery plan
- training and information provision for all workers (including afternoon and nightshift workers, casual, part-timers and contract workers)
- procedures for reviewing the plan as the workplace changes.

(AS 3745-2002)

In developing emergency response plans it may be necessary to provide additional training for staff in the areas of evacuation, supervision, fire fighting, first aid, plant shut down and hazardous substances.

TYPES OF EMERGENCIES IN THE WORKPLACE

Emergency Drills and Training

Practising evacuation procedures in the workplace by actually walking through the escape routes to the nominated evacuation assembly areas is the best way for workers to learn the procedure. Being actively involved is always better than passively receiving the information.

In practice, it will be a combination of information and practical training that is most effective. Regular reinforcement of the procedure will also help workers to retain the information.

Training should be designed to suit the needs of the site, although most emergency evacuation training would include drills in the following areas:

- evacuation plans
- setting off the alarm systems
- the immediate response to assembling in a designated area
- accounting for everyone on the premises
- shutdown procedures.

Emergency training must be provided:

- initially, when the plan is developed
- for all new employees
- when new equipment, materials, or processes are introduced
- when procedures have been up-dated or revised
- with emergency drills or practice opportunities show that employee performance must be improved
- at least annually.

There **must** be additional training for wardens, security staff and other people, such as switchboard operators, who have a special role in the coordination of an emergency evacuation **and use of fire fighting equipment (17 (3) (c))**.

Evacuation of employees and members of the public

Evacuation is an important way of saving lives in an emergency since it removes people from the threat. Evacuation is usually required in the case of fire, widespread smoke, hazardous substances spillage or bomb threat.

Evacuation procedures should comprise part of the emergency management plan. All employees must be aware of the steps involved in the evacuation. Evacuation procedures should be well designed, documented and readily available in each work area. They should be explained to employees at induction and at regular intervals, in conjunction with practical evacuation/fire drills that allow opportunity to practice. This will result in a quickly executed evacuation that will save lives in a real emergency.

In larger organisations, the workplace is often divided into areas with an employee from each area allocated the role of emergency warden. Emergency wardens assist in the orderly evacuation of the building and often perform other assigned tasks that require additional or specialist training.

They are identified in emergency situations by the helmet they wear and are responsible for:

- evacuation of their designated area
- the operation of emergency communication and control equipment
- accounting for everyone on-site including staff, contractors, visitors, guests and customers.

Emergencies are infrequent, however the outcomes can be catastrophic. To ensure successful evacuation, pathways must be kept clear of obstructions at all times and exits must be clearly signposted. Fire doors must not remain open as this increases the speed of fire and the spread of toxic substances in the stairwells, which people will use to escape.

Fire and explosion emergencies

Fire is one of the most feared emergencies because of its ability to ignite and spread and the devastation it can cause. Fire involves the rapid combustion of materials accompanied by the release of large amounts of energy in the form of heat and light. It also releases smoke and other toxic substances, which are potentially lethal. Most people suffer or die from the effects of smoke inhalation rather than heat or flames.

It is much easier to prevent fire than extinguish it. Observing safe practices and good housekeeping at all times are the most important factors associated with fire prevention.

Workplace fire can be caused by:

- electrical malfunctions in equipment
- electrical wiring faults or overloaded circuits
- incorrect storage of incompatible materials
- incorrect location of plant or equipment
- friction
- smoking in areas where flammable or combustible materials are located
- failure to properly extinguish cigarettes before disposal.

Fire risks can be eliminated or reduced by:

- carrying or storing substances in approved containers
- identifying substances with proper class labels for dangerous goods
- prohibiting open flames and smoking in all areas where flammable liquids or gases are stored or dispensed
- ensuring all equipment is bonded and earthed whenever there is danger of static electrical build-up and discharge in the presence of flammable liquid or gases
- locating fire fighting equipment in accessible places
- regularly maintaining fire fighting equipment
- instructing employees in the location and use of fire extinguishers and emergency procedures
- conducting fire hazard inspections as a critical part of the fire-prevention program
- ensuring each employee can initiate a fire alarm.

All organisations should have fire emergency plans in place. Even with the best control methods in place, fires may still occur.

Employers should ensure that:

- all staff are familiar with the location and purpose of fire extinguishers and know how to use them
- extinguishers are supplied and regularly maintained
- extinguishers are properly mounted and labelled
- procedures are in place for recharging extinguishers that have been used
- procedures are in place for reporting fires
- **procedures are in place for shutting down** and emergency evacuation
- **fire orders are posted and procedures readily available.**

Hazardous substances/dangerous goods emergencies

Careful consideration should be given to the Dangerous Goods Regulation (1999), the Australian Dangerous Goods (ADG) Code and standards referred to in the regulations, when planning for the storage of dangerous goods or hazardous substances.

Chemical stores should be labelled with the relevant dangerous goods diamonds. These diamonds often appear on the labels of substances which are classified as dangerous or contain dangerous goods as a significant part of the mixture. These symbols allow substances that may be of concern to be easily identified and to determine special precautions for healthy and safe use. Labelling provides staff and emergency personnel with information about the chemicals involved.

In emergencies it is important to know what substances are used or stored on site and the information that should be provided to emergency services if required.

There are coding systems for the classification of fires and spillage of hazardous substances called Hazchem. It provides emergency personnel with coded information on how to deal with the emergency, whether evacuation is necessary and any special protective clothing that should be worn. This code appears on the dangerous goods containers or storage facilities along with the dangerous goods labels and placards.

In a hazardous substance or dangerous goods emergency employees should:

- remain upwind of the incident scene
- identify the type of incident (ie. spillage, fire, explosion)
- determine if anybody is injured, ensuring they are not at risk themselves
- if possible, identify the hazardous substance or dangerous good involved including its chemical name, United Nations (UN) number and Hazchem code
- notify emergency services.

Placards, labels, registers of hazardous substances and an emergency manifest are also important sources of information in an emergency.

An emergency services manifest should:

- list each hazardous substance, using the Dangerous Goods codes
- identify each substance by technical name and UN number
- state the quantities stored
- provide a site plan
- be reviewed and updated to reflect current situations.

Medical emergencies

The responsibilities of first aid personnel under the NSW OHS Act include:

- taking reasonable care for the health and safety of employees and others
- ensuring they are readily available to provide first aid if required
- maintaining a register of workplace injuries as outlined in OHS Regulation (2001).

First aid information should be included in the emergency plan. This could include:

- the location of first aid kits/posts and other medical facilities
- the identification of first aid officers
- the identification of all other staff trained in first aid
- procedures for **treating and** transporting injured employees to external medical facilities
- provision of first aid training
- procedures for recording injuries and illnesses.

SECURITY IN AN EMERGENCY

During an emergency, it is often necessary to secure the area to prevent unauthorised access and to protect vital records and equipment. An 'off-limits area' must be established by cordoning off the area with ropes and signs. It may be necessary to notify local police or employ security personnel to isolate the area and prevent the entry of unauthorised personnel.

Certain records may need to be protected, such as essential accounting files, legal documents and personal information about employees. These records may be stored in duplicate outside the site.

After the Event

Documentation and review is necessary after an emergency drill or real emergency to ensure that the system can be improved.

References

- AS 3745 –2001
- NSW OHS Regulation 2001 cl 9,10,11 (general ones) 17 and 62 (specific)
- Dangerous Goods Regulation 1999.

REFERENCES

RELEVANT ASSOCIATED LEGISLATION AND REGULATIONS

RELEVANCE TO THE HOSPITALITY INDUSTRY

Regulations, Codes of Practice, Australian and combined Australian and New Zealand Standards, which may be considered by those in the hospitality industry, include:

- NSW OHS Act 2000
- NSW OHS Regulation 2001
- Dangerous Goods Regulation (1978)

- Code of Practice for Manual Handling (1991)
- Code of Practice for Workplace Injury and Disease Recording (1990)
- Code of Practice: Safe Handling and Storage of Enzymatic Detergent Powders and Liquids (1994)
- Code of Practice for the Prevention of Occupational Overuse Syndrome (1995)
- Code of Practice: HIV and other Blood-Borne Pathogens in the Workplace (1996)
- Code of Practice for Noise Management and Protection of Hearing at Work (1997)
- Code of Practice for the Control of Workplace Hazardous Substances (1996)
- Code of Practice for the Preparation of Material Safety Data Sheets (1996)
- Code of Practice for the Labelling of Workplace Substances (1996)

- AS 1885 - 1990 – National Standard for Workplace Injury and Disease
- AS HB9 – 1994 Occupational Personal Protection
- AS 1319 – 1994 Safety Signs for the Occupational Environment
- AS/NZS 2293 – 1995 Emergency Evacuation Lighting for Buildings
- AS 1668.2 – Mechanical Ventilation for Acceptable Indoor Air Quality
- AS1680.1 - Interior Lighting, Part 1: General principles and recommendations
- AS 1680.2 – Interior Lighting Part 2 – recommendations for specific tasks and interiors
- AS 1837 – Code of Practice for Application of Ergonomics to Factory and Office Work
- AS 3590 – Screen-Based Workstations Part 1 – Visual Display Units, Part 2 – Workstation Furniture
- AS/ISO 9000 series- International Standards for Quality Assurance
- AS3661 – Slip Resistance of Pedestrian Surface: Guide to Reduction of Slip Hazards
- AS3661.1 – Slip Resistance of Pedestrian Surface: Requirements

- AS/NZS 1269 – 1998 Occupational Noise Management (parts 0-4)

- Clean Air Act (1961)
- Ozone Protection Act (1989)
- Noise Control Act (1975) and Regulations
- NSW Local Government Act (1993)
- WorkCover Procedural Guidelines for Rehabilitation of Injured Workers
- NSW Pollution Control Act (1970)
- NSW Environmental Offences and Penalties Act (1989) and Regulations
- EPA Environmental Noise Control Manual (ENCM)

OHS ORGANISATIONS AND THEIR FUNCTION

National Occupational Health and Safety Commission – WORKSAFE AUSTRALIA

Worksafe Australia was formed in 1985. Its mission is to:

'... lead national efforts to provide healthy, safe and productive working environments and to reduce the incidence and severity of occupational injury and disease within Australia. It is a tripartite body consisting of union representatives, employer associations and state and territory government representatives.'

Worksafe Australia encourages a uniform national approach to occupational health and safety through:

- research
- education
- National Standards, Guidance Notes, Codes of Practices, strategies and policies; and
- the provision of information and statistics.

Standards Association of Australia – STANDARDS AUSTRALIA

Standards Australia is an independent national body, which develops national uniform standards on:

- specifications for equipment, products and materials
- codes on practices, design and installation
- methods of analysis and testing
- guides to recommend procedures, term and names.

Industrial Relations

Industrial relations and occupational health and safety have common ground in Australia. Representatives from employer, employee and government bodies are often involved in the drafting of Acts, Regulations and Codes of Practice. This is often referred to as a tripartite approach and involves representatives with differing perspectives, jointly involved in developing standards, guidelines or other requirements for industry.

Occupational health and safety legislation has seen a shift to a risk management approach to safety and health issues. Consultation between the employer and employees forms the basic framework for achieving positive management of occupational health and safety in accordance with the legislation.

Unions have been recognised and given functions in accordance with the relevant occupational health and safety legislation. They have influenced many changes in employee conditions over the years. The NSW OHS Act gives restricted powers of entry and inspection to authorised officers of industrial organisations. An authorised officer of an industrial organisation is one, who is authorised under the Industrial Relations Act (1996).

Unions or union members may participate in occupational health and safety in the workplace through:

- health and safety representative functions
- health and safety committees
- resolution of OHS issues.

SAMPLE DOCUMENTATION

SAMPLE 1: OCCUPATIONAL HEALTH AND SAFETY POLICY

General Policy

The **COMPANY NAME** is committed to providing a safe and healthy workplace for its entire staff, contractors and visitors. The **COMPANY NAME** management believes that the health and safety of people at work is an integral and vital factor in the successful planning and implementation of any job or project. The **COMPANY NAME** will therefore commit resources to comply with all the relevant Acts and Regulations and to ensure that the workplace is safe and without risks to health.

Responsibilities

Promoting and maintaining occupational health and safety is primarily the responsibility of management. However, to achieve a safe and healthy organisation it is important that everyone accepts responsibility for the health and well being of everyone in the workplace.

Specific responsibilities

Executive Directors, Directors and Senior Managers

They will promote the concepts of occupational health and safety, hold managers and other reporting officers accountable for their specific OHS responsibilities and support them in implementing practical measures to ensure that the work area they supervise is safe and without risks to health.

Managers and other Reporting Officers

Each manager and reporting officer is responsible for taking all practical steps to identify and address any unsafe or unhealthy conditions or behaviour in the work area they supervise to ensure that it is safe and without risks to health. This includes ensuring that work organisation and systems are safe, as well as providing adequate supervision, information and training, so that staff are able to perform their duties safely.

Staff

All staff are responsible for taking reasonable care of their own health and safety, as well as the health and safety of others in the workplace. This includes cooperating fully with any directives of managers or other reporting officers, aimed at maintaining a safe and healthy work environment. It also includes reporting any unsafe or unhealthy conditions and reporting accidents/incidents promptly.

Occupational Health and Safety Committee

The workplace Occupational Health Safety Committee will help fulfil the occupational health and safety responsibilities of the organisation by identifying workplace health and safety problems and resolving them through a process of joint consultation. To this end, each committee meeting will be attended by an employer representative who has the necessary authority to make decision on each of the matters raised.

Signed:

Date:

SAMPLE 2: OCCUPATIONAL HEALTH AND SAFETY POLICY

The **COMPANY NAME** is committed to providing and maintaining a safe and healthy workplace for all employees, contractors and visitors. The management group will pursue a pro-active program including the elimination or control of workplace hazards, promotion of safe systems of work, accident prevention and investigation, health and safety education and health preservation and promotion.

Occupational health and safety will form an integral component in the development of programs, procedures and in work practices, staffing and training. Resources matching the priority that the management group places on occupational health and safety will be made available to comply with all relevant legislation to ensure the health, safety and welfare of all employees.

The following shared responsibilities are essential to the success of the policy:

Senior Management is required to actively pursue these policy objectives through:

- providing systems/processes
- being accountable at the highest level
- raising and discussing occupational health and safety issues at management meetings
- taking immediate and effective action to provide and maintain a safe and healthy workplace
- ensuring that all staff are made aware of their responsibilities in regard to accident prevention and to include satisfactory OHS performance as a criteria when undertaking staff assessment.

Managers and Supervisors

- to provide and maintain a work environment that is safe and without risks to health
- will be held personally accountable for the health and safety of their area of responsibility, including the degree of information, instruction, training and supervision given to personnel under their control
- to ensure compliance with system processes.

Employees

- to work in safe and healthy manner and encourage fellow employees to work in a safe and healthy manner
- to cooperate with and support the promotion of occupational health and safety in the workplace
- to immediately report to their direct supervisor, all potential incidents/hazards which cause injury, ill-health or damage and to actively participate in programs undertaken to eliminate or control such hazards.

The reduction of accidents, injuries and ill-health will result in less personal suffering, improved working conditions, and lower financial burdens. Reducing these losses will result in optimum use of resources.

Signed:

Date:

SAMPLE 3: DISCIPLINARY PROCEDURES

The NSW OHS Act 2000 provides for supervisors/managers to be responsible for the health and safety of employees through supervision. The need for supervision also means that there must be appropriate disciplinary procedures in place in the event of individuals failing to comply with health and safety procedures.

Stage 1: Counselling and/or verbal warning

The first stage involves a counselling session with the employee. The employee is counselled as to the issues that have developed and what needs to be done to overcome them. Sufficient information needs to be provided to ensure that the employee is fully aware of the issues.

This counselling session should be recorded and a time period allocated in which the issue will be reviewed. The time period will vary depending on the seriousness of the health and safety matter.

Stage 2: Written warning

If the employee, having been counselled in Stage 1, continues to act unacceptably, the employee should be warned in writing. This written warning should set out what the employee is doing wrong, what the person should be doing to rectify the problem – that is serious enough for them to be facing disciplinary action.

The written warning should outline the date and details of previous counselling. If appropriate, the warning could contain a review period in which the problem should be rectified. The employee may be given the opportunity to have an observer or a union representative present at the warning and/or pass the written advice onto the union representative for advice. Some organisations may issue a number of written warnings before the final warning.

Stage 3: Final warning

The final stage of the disciplinary procedure should entail a further written warning. It should clearly indicate the processes already undertaken by the organisation. The final warning should contain a statement clearly indicating that if the problem occurs again the company will institute disciplinary action as previously advised, such as terminating the employee's employment.

As mentioned in Stage 2, the employee may be advised to have an observer or union representative present at the warning and/or pass the written advice onto the union representative for advice.

Whilst it is difficult to guarantee avoiding disputation in relation to disciplining employees, adopting a process that is fair and equitable may minimise the possibilities.