

# the monitor

Keeping all those with an interest in OHS informed of current developments in workplace health and safety nationally and internationally.



Issue 2 Vol 35 – May 2024



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## IN HEALTH

Javier, 22 years old and just his fourth day on the job working as a Drill Assistant for a Projects Team in Arizona. Javier is a non-smoker, non-drinker and generally healthy young man living at home with his folks in Arizona, local man well acclimatised to this environment.

After a relatively normal evening Javier started work at 6am. Javier stopped for a break and ate some food mid-morning. The max temperature was approx 43 degrees Celsius during the day. At approx 4:30pm crew noticed Javier walk away to sit down and they asked if he was okay. Javier said he was okay but shortly after the crew noticed unusual behaviour just before Javier collapsed. The crew put Javier in a vehicle to take him to medical care. On route Javier lost consciousness so ambulance was met along the way.



Javier spent over three weeks in the Intensive Care Unit (ICU) because of this Heat Stress event. Javier's internal organs were failing. Javier is now out of ICU, but some body functions continue to be supported. Javier is undergoing rehabilitation



including speech therapy. Javier will likely require ongoing full-time care.

Even though there was no sudden release of energy, no failed components, no entanglement, Javier's quality of life has been significantly impacted.

Javier's mother plans to become his full-time carer. Heat-induced illness occurs when the body temperature is consistently higher than the normal range and can be fatal if not rectified promptly.

High external temperatures reduce the body's ability to cool by radiation, whilst high humidity will reduce the body's ability to cool by evaporation. In circumstances of prolonged exposure, the body's attempts to regulate temperature may be affected and the core temperature rises. The body can also lose up to a litre of fluid per hour, trying to reduce the temperature by sweating.

It doesn't need to be hot to become hyperthermic. Excessive exercise or exertion can trigger hyperthermia.

Source: Information from a Safety Share by Lance Keys.

## Health Risks of Sitting Too Long at Work

A recent study, involving nearly 500,000 people, found that sitting for too long at work can increase the risk for heart disease and even death. The study concluded that to help offset those risks, people who sit for long periods should be active for at least 15 to 30 minutes a day.

Dr. Tamanna Singh, sports cardiologist with Cleveland Clinic, stressed that physical activity needs to be a consistent daily effort to maintain low cholesterol, to be able to keep blood pressure well controlled and manage blood sugar levels to prevent diseases like diabetes. Managing weight is also an important outcome of physical exercise and walking is an easy option that can be done anywhere. For example, during a lunch break, or by walking laps around the workplace. Simply standing up and walking around throughout the

day can help with cardiovascular health. However, if you haven't exercised in a while, make sure you ease into it.



Source: Cleveland Clinic. (2024, February 21) *Health Risks of Sitting Too Long at Work*.

<https://newsroom.clevelandclinic.org/2024/02/21/health-risks-of-sitting-too-long-at-work>

## New injury management and workers' compensation legislation for Western Australia

On the 1<sup>st</sup> of July 2024 the Western Australian Workers' Compensation and Injury Management Act 2023 and the supporting Workers' Compensation and Injury Management Regulations 2024 will be implemented. This legislation has been updated in an effort to modernise it and to make it easier to use and understand. There are changes in the set forms to be used for workers' compensation from the 1<sup>st</sup> of July 2024. See <https://www.workcover.wa.gov.au/resources/legislative-framework-approved-instruments-forms-and-notices/> A prospective employer (such as in a pre-employment medical) or anyone else asking if someone has had a previous worker's compensation claim is now illegal. There is a fine of up to \$10,000 for asking this question. There is no place for any witness statement on the new claim form. Workers have the right to choose their treating medical doctor and their rehabilitation provider.

Under the new legislation Insurers are required to complete a set form to deny or accept liability within 14 days of receiving the claim form. If an insurer defers their liability decision and no decision to accept or decline is made within 28 days, provisional payments must be commenced. The payments include income, compensation, and medical care payment. These provisional payments cannot be recovered by the Insurer unless there is fraud. Provisional payments will be continued until a liability decision is made, or the treating medical practitioner provides a certificate of capacity to document that the worker has recovered their good health. Insurers will have a deadline of 120 days to make a liability decision from the date of receiving the claim and failure to do so will result in liability being deemed accepted.

Employers will have seven (7) calendar days to provide the claim form and medical certificate to the insurer from the date it's provided to them by the worker. If this is not done the employer can be fined \$5,000. Under the new legislation there is a provision for Return-to-Work Case Conferences between the worker and the employer where it is mandatory for the worker to attend, and it is optional for the worker to bring a support person. These case conferences are for the employer to support the worker's recovery and return to work and the worker cannot be required to attend more frequently than once every 4 weeks. Medical case conferences can be called by the treating doctor as often as required. Under the new legislation there is higher caps on medical expenses and a prohibition on employers attending medical appointments. There are other changes too and more information on these changes can be obtained from the web address <https://www.workcover.wa.gov.au/>

## Just and fair compensation scheme for sufferers of dust diseases

Western Australians diagnosed with diseases caused by exposure to asbestos or silica will now have the green light to seek improved compensation outcomes under landmark legislation introduced today.

- *Civil Liability (Provisional Damages for Dust Diseases) Bill 2024* introduced into State Parliament
- Proposed reforms to provide dust disease sufferers access to just and fair compensation

Western Australians diagnosed with diseases caused by exposure to asbestos or silica will now have the green light to seek improved compensation outcomes under landmark legislation introduced. Attorney General John Quigley has introduced *the Civil Liability Amendment (Provisional Damages for Dust Diseases) Bill 2024* into State Parliament. The introduction of the Bill is an important step towards ensuring those who suffer from these insidious and often fatal diseases are given fair and just access to compensation.

As the law currently stands, people who suffer personal injury as a result of exposure to asbestos or silica dust are awarded damages on the basis of the 'once and for all' rule. This means that if the person develops a new disease from the same cause, such as mesothelioma, they cannot seek further damages at a later date. The new provisional damages regime will result in improved compensation outcomes, allowing people diagnosed with dust disease to seek subsequent damages awards under certain circumstances.

The mining of asbestos was banned in the 1980s and the manufacture of asbestos was banned in Australia in 2001, however the diagnosis of asbestos related disease continues. Across Australia, there is an emerging trend of cases of silica-related diseases, namely accelerated silicosis. The risks posed by silica exposure have been nationally recognised, leading to a unanimous decision by all Work Health and Safety Ministers in Australia to prohibit the use, supply and manufacture of all engineered stone.

### Comments by Premier Roger Cook:

"The introduction of a provisional damages regime demonstrates my Government's commitment to providing access to just and fair compensation to dust disease sufferers. There is continued concern in the community and from governments across Australia in relation to the risk of exposure to asbestos and silica dust. Most recently, we have seen the risks faced by those involved in the engineered stone products sector, heightening the urgency of reform in this area. Our reforms will improve compensation outcomes for plaintiffs who suffer from dust diseases caused by the inhalation of asbestos or silica dust."

### Comments by Attorney General John Quigley:

"The current 'once and for all' rule disadvantages people who have a non-malignant dust-related disease, such as asbestosis or simple silicosis, but go on to develop a more serious form of disease, such as mesothelioma or lung cancer. The proposed provisional damages regime modifies the 'once and for all' rule in certain circumstances. For example, people will not be restricted in the number of claims that can be made for further damages, provided that such claims relate to the development of a different injury or disease which was expressly identified at the time of the initial judgment."

### Comments by Melita Markey, CEO, Asbestos Diseases Society of Australia:

"The Asbestos Diseases Society of Australia (ADSA) is grateful for the care and compassion the Cook Government and the Attorney General have shown to asbestos diseases and silicosis sufferers today. The Government has listened to the ADSA by introducing provisional damages which will significantly reduce the burden on sufferers and their families as they battle these incurable diseases."



Source: Government of Western Australia. (2024).  
<https://www.wa.gov.au/government/media-statements/Cook-Labor-Government/Just-and-fair-compensation-scheme-for-sufferers-of-dust-diseases-20240418>

# What's happening in industrial manslaughter laws in Australia?

With an increasing number of workplace fatalities, employers need to be aware of the offence of industrial manslaughter that is being enacted across Australian jurisdictions. Tasmania is the only jurisdiction at this stage that is not proposing to introduce the offence. Industrial manslaughter refers to the offence of recklessly or negligently failing to ensure the safety of workers, or others impacted by the business or undertaking, leading to the death of the worker or other person.

## Australian Capital Territory

Industrial manslaughter has been an offence in the Australian Capital Territory (ACT) since 2004. It was originally introduced under the Crimes Act 1900 (ACT) and was transferred to section 34A of the Work Health and Safety Act 2011 (ACT) on 5 November 2021 pursuant to the Work Health and Safety Amendment Act 2021 (ACT). The maximum penalty for a person conducting a business or undertaking (PCBU) (individual) is 20 years' imprisonment, and for a PCBU (corporate) is \$16.5 million.

## Commonwealth

On 4 September 2023, the Fair Work Legislation Amendment (Closing Loopholes) Bill 2023 (Cth) was introduced to Parliament, proposing sweeping changes to the Fair Work Act 2009 (Cth) and the Work Health and Safety Act 2011 (Cth) (WHS Act). One of the key WHS Act amendments was to criminalise industrial manslaughter at a federal level. The offence will commence on 1 July 2024 under a new section 30A of the WHS Act but will have limited application as it only applies to the Commonwealth public sector. The maximum penalty for a PCBU (individual) is 25 years' imprisonment, and for a PCBU (body corporate) is \$18 million.

## New South Wales

Industrial manslaughter is currently not an offence in New South Wales although it existed under the former Occupational Health & Safety Act 2000. The New South Wales Government has announced that it is committed to enacting an industrial manslaughter offence and is planning on introducing a bill to parliament in the first half of this year.

## Northern Territory

The offence of industrial manslaughter came into effect in the Northern Territory on 1 February 2020 under section 34B of the Work Health and Safety (National Uniform Legislation) Act 2011 (NT). The maximum penalty for a PCBU (individual) is imprisonment for life, and for a PCBU (corporate) is 65,000 penalty units (which is currently \$11,440,000).

NT WorkSafe has charged two PCBUs with industrial manslaughter. The first charge was against Kalidonis NT Pty Ltd, which is one of Darwin's largest privately owned construction company, following a workplace incident where a man was killed after a chain allegedly failed and struck him during an excavator towing operation. WorkSafe NT has since withdrawn the charge, but the company is still facing penalties for failure to comply with its health and safety duties. The second charge is against an individual, Mr Craig Williams t/a Rainbow Beach Constructions, after one of his workers fell approximately 3.2 metres through an unguarded void while he was moving cabinets to be installed.

## Queensland

Queensland introduced the offence of industrial manslaughter in 2017 under section 34C of the Work Health and Safety Act 2011 (Qld). The maximum penalty for a PCBU (individual) is 20 years' imprisonment, and for a PCBU (corporate) is 100,000 penalty units (which is currently \$15,480,000).

Queensland was the first state to record a conviction for industrial manslaughter against a body corporate and an individual. In *R v Brisbane Auto Recycling Pty Ltd (2020)*, the company was convicted and fined \$3 million, and the two directors were convicted and sentenced to 10 months' imprisonment, with a suspended sentence, after a worker was killed by a reversing forklift truck driven by an unlicensed driver with no traffic management safety systems in place. In 2022, in the case of *R v Jeffrey Owens (2022)*, an individual, Mr Owens, was convicted and sentenced to 5 years' prison (suspended after 18 months) after he negligently caused the death of a worker who was crushed by a generator that fell on him from a moving forklift.

In a second case a waste transfer and recycling business in Queensland was fined \$140,000 after pleading guilty in the Brisbane Magistrates Court over an incident in which a worker died while operating an onsite

shredder that processed waste material. The company was charged following the death of a worker who was working a nightshift loading material into a shredder at the waste business on 22 January 2021.

The worker commenced employment as a machine operator for the company approximately six months earlier. On the night of the incident, two workers were tasked to clear a large pile of waste on the floor of the processing shed with no supervisor present. When this work was being completed, the shredder was in a poor mechanical state. Most of its “teeth” were non-operational and due to be replaced. The lack of teeth impacted the ability to shred the material, and as a result, the material became stuck within the shredder, causing blockages. The workers would first try to clear the blockage by going underneath the overhead three-tonne magnetic conveyor and reaching into the internal part of the shredder via the discharge chute to remove waste material. At approximately 1.30am, the worker undertaking the clearing task was crushed when the remote toggle for the conveyor was activated against the body of the shredder.

An investigation by Workplace Health and Safety Queensland found that the company had not conducted a risk assessment of the shredder. There were no training or documented procedures specific to clearing blockages; the only safety measure was an undocumented ‘lockout and tagout’ approach. There were no secondary safety measures. Further, the operator manual erroneously stated that the magnetic conveyor was not operational if the shredder was in manual mode. This error was only discovered upon the worker’s death.

### **South Australia**

On 29 December 2023, the South Australian Parliament passed the Work Health and Safety (Industrial Manslaughter) Amendment Bill 2023 (SA). The Bill introduces a new offence of industrial manslaughter under section 30A of the Work Health and Safety Act 2012 (SA). The Bill received royal assent and came into effect on 7 December 2023, becoming the Work Health and Safety (Industrial Manslaughter) Amendment Act 2023 (SA). The offence will only come into effect later this year as Part 2 of the amending Act, which legislates for the offence of industrial manslaughter, indicates it will commence on a “day to be fixed by proclamation. The maximum penalty for a PCBU (individual) is 20 years’ imprisonment, and for a PCBU (corporate) is \$18 million.

### **Tasmania**

Industrial manslaughter is not an offence in Tasmania. While the Tasmanian Government has been the subject of mounting pressure to introduce an industrial manslaughter offence, it has not publicly committed to legislating for such an offence.

### **Victoria**

Workplace manslaughter is an offence in Victoria pursuant to section 39G of the Occupational Health and Safety Act 2004 (Vic). It was introduced under the Workplace Safety Legislation Amendment (Workplace Manslaughter and Other Matters) Bill 2019 (Vic), which received royal assent on 3 December 2019 and commenced on 1 July 2020. The maximum penalty for an individual is 25 years’ imprisonment, and for a body corporate is 100,000 penalty units (which is currently \$19,231,000).

WorkSafe Victoria has charged four companies with workplace manslaughter in the last four years. The first charge was against a director of a stonemasonry business after a loaded forklift tipped over and landed on a 25-year-old subcontractor at the workplace, causing the death of the worker. This stonemasonry business was the first company convicted under Victoria’s workplace manslaughter laws after causing the death of a worker who was fatally crushed at a Somerton factory. LH Holding Management, trading as Universal Stone and Marble, was sentenced in the Victorian Supreme Court after pleading guilty to a single charge of engaging in negligent conduct that constituted a breach of a duty owed to another person and caused their death. The company was convicted and fined \$1.3 million.

LH Holding Management’s sole director Laith Hanna, 46, was also convicted and placed on a two-year Community Corrections Order to complete 200 hours of unpaid community work and a course in forklift operation after pleading guilty to a single charge under section 144(1) of the Occupational Health and Safety Act for being an officer of a company that committed workplace manslaughter, a contravention solely attributable to his failure to take reasonable care. The company and Hanna were also ordered to pay \$120,000 in compensation to the worker’s family for pain and suffering.

In October 2021, the 25-year-old sub-contractor died after a forklift being operated by Hanna with a raised load on a sloping driveway tipped over and landed on top of him. A WorkSafe Victoria investigation found it was reasonably practicable for the company to reduce the risk of serious injury or death by ensuring that the forklift was driven with the load as low to the ground as possible; driven in reverse down any slope or incline; only operated when other people were at a safe distance; and not driven across or turned on any slope or incline. The court heard LH Holding Management's failure to ensure that the forklift was operated properly was negligent because it fell well short of the standard of care that would have been taken by a reasonable person in the circumstances. The company's prosecution was the first completed under section 39G(1) of the OHS Act since Victoria's workplace manslaughter provisions were introduced in July 2020.

The second charge was against a centenary bakehouse and relates to the death of a worker who fell approximately 4 metres while removing suspended ceiling panels at a warehouse. The third and fourth charge of industrial manslaughter follows an incident where a 21-year-old apprentice electrician was electrocuted while performing work on a car lift at an apartment building.

### **Western Australia**

Industrial manslaughter became an offence in Western Australia on 31 March 2022 under section 30A of the Work Health and Safety Act 2020 (WA). The maximum penalty for a PCBU (individual) is imprisonment for 20 years and a fine of \$5 million, and for a PCBU (corporate) is a fine of \$10 million.

On 26 May 2021 the Esperance Magistrates Court sentenced a Western Australian Director to a term of imprisonment of 2 years and 2 months for the death of a young worker and the serious injury of another worker.

Mark Thomas Withers owned and operated MT Sheds, a small, shed building company in Esperance. In March 2020 Jake Williams and Fraser Pinchin, employees of MT Sheds were installing roof sheets on a large machinery shed, with no safety control measures in place. Mr Williams was working at a height of approximately 9 metres on the apex of the roof and Mr Pinchin was working at a height of about 7 metres on the roof's edge near the gutter line. Neither worker held a High-Risk Work Licence for the work they were performing and neither wore a safety harness. Further, Mr Williams did not hold a Construction Induction Training Certificate (white card). A strong gust of wind lifted a roof sheet, causing both workers to fall, with Mr Williams suffering fatal injuries and Mr Pinchin suffering multiple fractures of the pelvis, hip, wrists, and ribs. Notably, the risk of strong winds in Esperance was a known risk and the Director, Mr Withers, admitted to being aware of the risks.

MT Sheds and its sole Director pleaded guilty to 7 separate charges, including charges in relation to the death of Mr Williams and the serious injuries to Mr Pinchin. Both MT Sheds and Mr Withers pleading guilty to gross negligence. Mr Withers conceded that MT Sheds' gross negligence occurred with his consent or was attributable to his neglect. Notwithstanding Mr Withers' early guilty plea, coupled with his expression of contrition and acceptance of responsibility, the Esperance Magistrate considered culpability to be of the highest degree with the failings of the Company and its Director to be of the most egregious sort. MT Sheds was fined \$550,000 for the gross negligence offence and a further \$55,000 for the additional breaches of the Occupational Safety and Health Act (WA) 1984 and its subsidiary legislation. This penalty imposed under the labour government's increased work health and safety penalties (which were introduced in October 2018) was the highest fine yet imposed in Western Australia. Mr Withers was personally fined \$2,250 and sentenced to a term of imprisonment of 2 years and 2 months. Mr Withers served eight months of the sentence, with the remaining 18 months suspended.

#### **Sources:**

Australian Institute of Health and Safety. (2024, March 6). *\$1.3 million fine issued for workplace manslaughter*.

[https://www.aihs.org.au/Web/Advocacy-Media/All-](https://www.aihs.org.au/Web/Advocacy-Media/All-News/2024/02%20February/$1.3%20million%20fine%20issued%20for%20workplace%20manslaughter.aspx)

[News/2024/02%20February/\\$1.3%20million%20fine%20issued%20for%20workplace%20manslaughter.aspx](https://www.aihs.org.au/Web/Advocacy-Media/All-News/2024/02%20February/$1.3%20million%20fine%20issued%20for%20workplace%20manslaughter.aspx)

Australian Institute of Health and Safety. (2024, March 6). *Waste transfer and recycling business fined \$140,000 over shredder fatality*. [https://www.aihs.org.au/Web/Advocacy-Media/All-News/2024/03-March/Waste%20transfer%20and%20recycling%20business%20fined%20\\$140,000%20over%20shredder%20fatality.aspx](https://www.aihs.org.au/Web/Advocacy-Media/All-News/2024/03-March/Waste%20transfer%20and%20recycling%20business%20fined%20$140,000%20over%20shredder%20fatality.aspx)

Murfett Legal. (2021, May 31). *WA's first imprisonment for workplace death*. <https://www.murfett.com.au/Media-and-Resources/Articles/WA-s-First-Imprisonment-for-Workplace-Death>

Selinger, M. (2024, February 16). *What's happening in industrial manslaughter laws around the country?* Health & Safety Bulletin.

## Nine steps that helped a director avoid liability

The steps that a director can take to meet their work health and safety (WHS) duty of care has been examined in the recent decision of SafeWork NSW v Miller Logistics Pty Ltd; SafeWork NSW v Mitchell Doble. In this case, the director successfully defended charges laid against him, with the Court outlining the practical steps that he took to avoid a conviction.

### Background

Miller Logistics Pty Ltd (Miller) is a freight distribution company with eight transport depots located throughout New South Wales and the Australian Capital Territory. Zentry Pty Ltd was contracted to provide freight services at Miller's transport depot in Tamworth, NSW. Zentry employed truck drivers who would use Miller's depot to load and unload their trucks. SafeWork NSW issued three improvement notices to Miller over 3 years in relation to the lack of traffic management controls at its Yennora, Beresfield and Tamworth depots. Most notably, the last notice was issued at the Tamworth depot just 5 days before the incident occurred at that location. While steps had been taken at the other locations, no substantial traffic management plan was in place at Tamworth.



On 4 November 2020, Mr Herden, a truck driver employed by Zentry, was assisting another truckdriver, Mr Hill, to load and secure his B-Double trailer at Miller's Tamworth depot. Mr Hill instructed Mr Herden to search for a smaller freight pallet that would fit beneath the mezzanine level of the B-Double trailer. While searching for a suitable pallet, Mr Herden crossed the loading zone and was struck from behind by a forklift being operated by another Miller employee. The forklift was being driven with a full pallet, raised so high above the

ground that it obstructed the driver's line of sight. Mr Herden suffered significant injuries as a result.

### Company liability

Miller unsuccessfully defended the charge brought against it under section 32 of the Work Health and Safety Act 2011 (NSW) (WHS Act) for having failed to comply with its WHS duty, which ultimately exposed Mr Herden to a risk of death or serious injury. The Court held that Miller was not only on notice of the risk due to the improvement notices but should have reasonably known that "nothing short of total separation of forklifts and pedestrians was adequate to ensure safety. Despite this obvious risk, the only precaution adopted by Miller at this depot was the 3-metre rule, which was loosely enforced. A designated loading and unloading zone, line marking, pedestrian exclusion zones and physical barriers could all have been implemented as higher level controls compared with the administrative control regarding keeping 3 metres away from mobile plant. The company has not been sentenced yet.

### Director's liability

Miller's sole director, Mr Doble, was charged as an officer of Miller under section 27 of the WHS Act for failing to exercise due diligence to ensure that Miller complied with its WHS duty. SafeWork NSW alleged that Mr Doble breached his duty to exercise due diligence by failing to ensure that Miller had appropriate resources and processes to eliminate or minimise WHS risks arising out of its operations and to verify that the resources and processes were being implemented at Miller's Tamworth depot.

In finding Mr Doble not guilty of any offence, the Court found that Mr Doble "took an active interest" in WHS, as Mr Doble:

1. Employed Mr Hayter as a compliance manager to deal with WHS at each of Miller's depots and as the "primary process or resource" for managing safety. As Mr Hayter had been responsible for WHS within the business during this period, Mr Doble was entitled to reasonably rely on the information provided by Mr Hayter.
2. Attended weekly management meetings where he was briefed on WHS matters by Mr Hayter.
3. Followed-up safety issues at the next management meeting to ensure the proposed safety measures had been implemented at each depot.
4. Remained informed about updates to the traffic management plans.



5. Personally attended each depot, and instructed Mr Hayter to immediately fix any WHS issues that he observed.
6. Attended meetings with the depot managers to discuss Mr Hayter's compliance measures.
7. Signed-off on updated WHS policies prepared by Mr Hayter.

8. Directed supervisors to chase-up any workers who disregarded safety instructions provided by their respective depot manager.
9. Promptly responded to WHS issues irrespective of the expense.

Source: Selinger, M. (2024, April 5). Nine Steps that Helped a Director Avoid Liability. *Health & Safety Handbook*. [health-and-safety-handbook=ghost.io@m.ghost.io](mailto:health-and-safety-handbook=ghost.io@m.ghost.io)

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## What are the work health and safety implications of the “right to disconnect”?

Workers will be able to refuse to monitor, read or respond to contact from their employer as part of a new law which grants them the “right to disconnect” from work outside of normal working hours, unless the refusal is unreasonable. The Closing Loopholes Bill No. 2, which was recently passed by federal parliament, was one of the more contentious rights granted under the legislative changes. Greens Senator Barbara Pocock said the newly legislated right will make a difference for workers who are not paid for being available and who donate many unpaid hours to their workplace. “In implementing this right, we are playing catch up with 20 other nations who have already acted on this massive problem,” she said. “This change will help workers protect their mental health and improve work-life balance. It will especially help those in insecure jobs who need that legislative backup.”

Shadow Minister for Employment and Workplace Relations Michaelia Cash said the law opens up another level of complexity for businesses at a time when they are doing it very tough. “In a country with five time zones during the summer months and in a globally competitive economy, it’s not clear how this will help increase productivity in the workplace,” she said. Employers also took issue with the law, claiming they are impractical and will add unwarranted conflict and uncertainty into workplaces. “There are already provisions in the Fair Work Act and awards that regulate the extent to which employees can be unreasonably required to work outside normal hours,” said Innes Willox, chief executive of employer association Ai Group. “These changes were unfortunately added into the mix at the last moment, without being properly thought through, with a view to securing the Greens’ support for the passage of the rest of the legislation.”

Unions welcomed the passing of the Bill and said the law will give new rights to casual and gig workers, protect road transport workers, and provide new rights for workers to disconnect from work when they are not being paid. “For the first time, all Australian workers will have the right to refuse unreasonable, unpaid work such as the expectation they will monitor and respond to emails out of hours in which they are being paid,” said ACTU secretary Sally McManus. Long working hours have recently come under increased scrutiny, especially following COVID and a widespread trend for workers to put in longer hours given many no longer had commutes and found it difficult to disconnect as their workplace and home became one and the same.

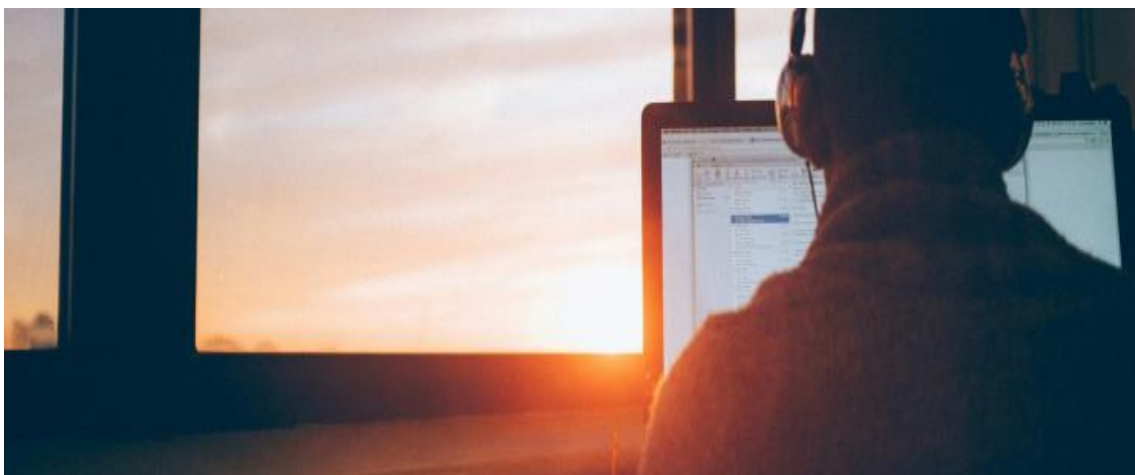


Image: AIHS, 2024

A Centre for Work Health and Safety survey found that, due to the ability to work from home, employees were working longer hours, experienced increased demands from their superiors or found it hard to 'switch off' from work outside of work hours. Another survey by the Centre for Future Work found that 71% of employees had worked outside their scheduled work hours often due to overwork or pressure from managers. The survey found that the most commonly experienced negative consequences of overtime work were physical tiredness (35%), followed by stress and anxiety (32%), and being mentally drained (31%).

Parliamentary inquiries have also examined how the advancement of technology has led to "availability creep", where employees feel they need to be available all the time to answer emails, calls or simply deal with their workload. "This has only been exacerbated by the pandemic," the Select Committee on Work and Care Interim Report stated. "Availability creep impacts mental health, exacerbates work-life stress, impacts on productivity and takes workers away from a fair day's work for a fair day's pay."

The new "right to disconnect" law contains important exemptions for employers where after-hours contact would be considered reasonable. In certain industries and occupations, the right of disconnect will be limited because of the need to monitor certain work-related communications. Employers would also be able to contact workers about matters such as rostering and shift work, in an emergency, where there is a work health and safety concern, or where a worker receives appropriate compensation. In taking into account whether a refusal by an employee is unreasonable, a number of employee-related matters must also be considered, including the nature of the employee's role and the employee's level of responsibility, and the employee's personal circumstances (including family or caring responsibilities).

Source: AIHS. (2024). <https://www.aihs.org.au/Web/Advocacy-Media/All-News/2024/02%20February/What%20are%20the%20WHS%20implications%20of%20the%20right%20to%20disconnect.aspx>

## Workplaces urged to be vigilant of melioidosis

Northern Territory WorkSafe recently urged workers to be vigilant of melioidosis and ensure their workers are protected from the risks of the disease following a case in which a landscaping worker was admitted to hospital with the disease. The worker, who was employed by a landscaping company in Darwin, was reported to have been diagnosed with melioidosis after attending hospital due to persistent back pain. Initial enquiries indicate the worker was completing gardening work days prior to being diagnosed. However, the exact location where the worker may have contracted the disease cannot be confirmed due to the delay in symptoms. The worker commenced appropriate medical treatment, which included ongoing intravenous antibiotics.



Melioidosis is a serious disease caused by bacteria called *Burkholderia pseudomallei*, commonly found in tropical soils and water. Cases of melioidosis usually occur during the wet season (October to April), when heavy rainfall can bring the bacteria up into surface water and soil. The bacteria can cause infection when they enter a person's body through skin cuts and sores or inhaling dust or droplets. Workers exposed to an environment where the bacteria may be present are at risk of contracting melioidosis, which can be fatal if not treated immediately.

Image: The Cairns Post, 2024.

Northern Territory WorkSafe strongly urged all workplaces with workers working outdoors, especially during the wet season, to ensure the following measures are in place and effective:

- Undertake Hazard Identification, Risk Assessment and Control (HIRAC) before starting any job in a work environment that can potentially be contaminated by bacteria causing melioidosis.

- Consider available control measures and implement them to eliminate or minimise the risks so far as is reasonably practicable. These may include:
- Providing workers with personal protective equipment (PPE) and ensuring they wear it when carrying out work, which may expose them to soil-borne diseases such as melioidosis. This includes glasses, ear protection, respirators, gloves, and appropriate footwear.
- Provide workers with adequate washing facilities and ensure they adopt personal hygiene practices such as washing their hands thoroughly before and after eating, drinking, smoking and performing their job.
- Ensure workers check their skin before carrying out work to identify any cuts, abrasions or wounds. Ensure they adequately cover these with waterproof dressings and wear the appropriate PPE to prevent the melioidosis bacteria from entering the body.
- Alternatively, deploy workers with open cuts and sores in alternative tasks, including workers who have pre-existing conditions such as diabetes and kidney and lung disease, which increase their risk of contracting melioidosis.
- Ensure workers have appropriate information, training and/or instruction on the potential risks and symptoms of melioidosis, the use of PPE, hand washing practices and safe work procedures.
- Follow the Northern Territory's Work health and safety consultation, cooperation, and coordination Code of Practice, consult workers and their health and safety representatives and seek feedback on the effectiveness of the control measures implemented at the next toolbox talk or team meeting.

Source: AIHS. (2024). <https://www.aihs.org.au/Web/Advocacy-Media/All-News/2024/02%20February/Workplaces%20urged%20to%20be%20vigilant%20of%20melioidosis.aspx>

## **Qantas ground services fined \$250,000 for standing health and safety representative down**



Qantas Ground Services was recently fined \$250,000 for unlawfully standing down a former health and safety representative (HSR) who raised concerns about worker safety during the COVID-19 pandemic. The company stood down the worker, Theo Seremetidis, after he raised concerns about the company's practice of making workers clean planes arriving from COVID hotspots without appropriate personal protective equipment, COVID-safe training, or adequate disinfectant measures. The \$250,000 fine follows an investigation by SafeWork NSW after the Transport Workers Union raised safety issues.

In October 2021 SafeWork NSW began its case against Qantas filing charges in the District Court under section 104 of the Work Health and Safety Act 2011 and alleging that Qantas engaged in discriminatory conduct for a prohibited reason.

Judge Russell said the conduct of Qantas was "shameful", said the airline's offences have "significant culpability", and that there was a "gross power imbalance" between Qantas and Seremetidis as an HSR. The landmark case is the first time in Australian labour history that a major airline has been criminally prosecuted for breaching workplace safety regulations.

The \$250,000 fine comes on top of Qantas agreeing to pay a personal compensation order to the HSR of \$21,000 (\$6000 for economic loss and \$15,000 for non-economic loss). "As a first principle, no work health and safety rep should be stood down for doing their job," said NSW Work Health and Safety Minister Sophie Cotsis. "Let this case stand as a warning, not just to Qantas but to all employers, not to discriminate against their health and safety reps. "Given this was a first-of-its-kind case the New South Wales Government will take time to review the outcome."

Head of SafeWork NSW, Trent Curtin, said the ruling supports the role of the HSR as a serious and specialised role that is recognised and protected under WHS laws in NSW. "Businesses have specific obligations in relation to health and safety representatives and are required to give them access to information regarding hazards and risks affecting the work group and talking with them about health and safety issues," he said.

Source: AIHS. (2024). [https://www.aihs.org.au/Web/Advocacy-Media/All-News/2024/03-March/Qantas%20Ground%20Services%20fined%20\\$250,000%20for%20standing%20HSR%20down.aspx](https://www.aihs.org.au/Web/Advocacy-Media/All-News/2024/03-March/Qantas%20Ground%20Services%20fined%20$250,000%20for%20standing%20HSR%20down.aspx)

# IN SAFETY

## Employee suffers burn injury from aerosol can dropped in deep fryer

In August 2022, a worker in a cafe kitchen suffered burns when an aerosol can of cooking oil was inadvertently dropped into a deep fryer of hot oil. The aerosol can had been placed on a trolley next to the fryer. The worker had been working near the deep fryer and the aerosol can fell into the deep fryer without her knowledge. The worker walked past the fryer just as the aerosol can ruptured and was burnt on the face and neck. Aerosol cans store contents under pressure. In this case the heat of the oil in the fryer was sufficient to cause the rupture of the aerosol can.

A similar incident occurred in 2010, when an aerosol can of cooking oil exploded, injuring two chefs. The aerosol can was placed on the kitchen work bench next to lit gas burners. The propellant inside the aerosol can heated up and expanded. The base of the can blew out, releasing the propellant which was ignited by the gas burner resulting in an explosion. Both chefs received flash burns to their upper bodies, and a large window at the front of the cafe blew outwards.

□ The aerosol can was placed on a trolley in an area close to a heat source where unintended movement resulted in the aerosol can being knocked into hot oil and rupturing about 40 seconds later.

□ There were no baffle plates on the trolley to reduce the risk of items being knocked off.

□ Propellants in aerosol cans are often hydrocarbons stored under pressure. Hydrocarbons are flammable and should be kept away from extreme heat and any other type of ignition source.

The following control measures should be considered when using aerosol cans in commercial kitchens, restaurants, and cafes:

- eliminate aerosol cans from kitchens where practicable. For example, use a manual spray pump to dispense oil and store insecticides in a separate storeroom.
- consider installing baffle plates on trolleys that are used near deep fryers to reduce the risk of items being knocked in and splashing hot oil.
- do not use or store aerosol cans next to heat sources, in direct sunlight, near ignition sources, or in hot areas of the workplace.
- read the safety information on the aerosol can and refer to the safety data sheet.
- ensure workers are aware of the hazards of aerosol cans and how to use them safely.

Source: Commerce WA. (2024).  
<https://www.commerce.wa.gov.au/publications/significant-incident-summary-no-1-employee-suffers-burn-injury-aerosol-can-dropped-deep>

## Update on engineered stone ban



On 22 March 2024, WHS ministers met to discuss the draft amendments to the model WHS Regulations to give effect to the engineered stone ban. WHS ministers agreed the ban applies to engineered stone benchtops, panels and slabs and that engineered stone be defined in the model WHS Regulations as an artificial product that:

- contains at least 1% crystalline silica as a weight/weight concentration, and
- is created by combining natural stone materials with other chemical constituents (such as water, resins, or pigments), and
- becomes hardened.

This definition excludes:

- concrete and cement products
- bricks, pavers, and other similar blocks
- ceramic wall and floor tiles
- sintered stone
- porcelain products
- roof tiles
- grout, mortar, and render, and
- plasterboard.

In making their decision, WHS ministers also agreed that finished engineered stone products (such as jewellery, garden ornaments, sculptures, kitchen sinks) which do not require processing or modification would be excluded from the ban. Under the transitional arrangements, WHS ministers agreed that work involving the supply, installation or processing of engineered stone benchtops, panels and slabs between 1 July 2024 and 31 December 2024 are to be exempt from the prohibition if the work is carried out under, or for the purposes of, a contract entered into on or before 31 December 2023.

Source: AIHS. (2024). <https://www.safeworkaustralia.gov.au/media-centre/news/we-have-updated-our-information-engineered-stone-ban>

## SafeWork South Australia issues carbon monoxide poisoning safety alert

SafeWork South Australia recently issued a safety alert warning employers about the risks of using fuel-powered vehicles and machinery in indoor environments following a spate of recent incidents involving carbon monoxide poisoning, including a workplace death. The use of forklifts and plant within warehouses, workshops, factories, mines, sporting venues and other enclosed spaces presents a risk as the carbon monoxide emitted can reach dangerous levels in poorly ventilated areas. Fuel-powered mobile plant used in cool rooms or refrigerated spaces poses a particular risk due to the unique nature of those environments. Carbon monoxide is generated by internal combustion engines commonly fuelled by petrol, diesel, and LPG, according to the alert, which said the gas is colourless, odourless and tasteless which means workers are generally unaware they have been exposed. When inhaled, carbon monoxide stops the body from being able to absorb oxygen, which can impact a worker's judgement and their ability to react to situations. A person who is unaware they're inhaling carbon monoxide may be at higher risk of other workplace injuries due to impaired judgement as well as the accumulative effects of continued exposure.

A person conducting a business or undertaking (PCBU) has a duty to ensure workers are not exposed to carbon monoxide levels exceeding the workplace exposure standard of 30ppm (averaged over an eight-hour work shift).

To reduce the risk of exposure to carbon monoxide, the alert said a PCBU should where possible, substitute fuelled equipment with electric or manual equipment (e.g. electric forklifts or manual pallet jacks). Engage a competent person, such as an occupational hygienist, to undertake an assessment of the workplace, including air monitoring, to assist in identifying appropriate control measures. Increase ventilation in enclosed or poorly ventilated areas. Install carbon monoxide alarms/detectors in indoor workplaces in which fuelled equipment is used. Ensure alarms are maintained and calibrated as per the manufacturer's recommendations. Ensure fuelled equipment is maintained appropriately, including regular servicing and inspections/ assessments of exhaust systems. Furthermore, a PCBU must consult workers or their health and safety representative to identify hazards in the workplace and identify appropriate control measures to minimise the risks. Workers should be provided with information regarding health risks of exposure to carbon monoxide, including possible symptoms of exposure; policies/procedures for appropriate responses if carbon monoxide alarms start sounding in the workplace and the internal procedures for reporting incidents.

Source: AIHS. (2024). <https://www.aihs.org.au/Web/Advocacy-Media/All-News/2024/04-April/SafeWork%20SA%20issues%20carbon%20monoxide%20poisoning%20safety%20alert.aspx>

## Regulator issues safety alert over dangers of laser light shows

SafeWork SA recently issued a safety alert about the unsafe use of Class 3B and 4 lasers in entertainment venues, particularly in laser light shows. Lasers can add visual appeal to events, but they can also pose potential risks to the health and safety of staff, performers and audiences if they are not used and managed properly. Class 3B and 4 lasers are classified based on their potential to cause harm to eyes and skin burns, with Class 4 lasers being fire hazards if they are not properly controlled and positioned. Emissions from lasers may be visible and non-visible light and are commonly used at concerts, festivals, and events for light shows, projections, and special effects. The alert said that regulation 223 (5) of the Work Health & Safety Regulations (2012) states the person with management or control must ensure workers operating laser equipment are trained in the proper use of the equipment.



A person conducting a business or undertaking (PCBU) must identify and assess all risks associated with the use of high-power lasers and ensure that lasers are not directed:

- In a manner that the laser beam could interact with a person
- Towards a surface that the beam could reflect off
- Towards a surface or substance that has the potential to ignite

Furthermore, all lasers require correct labelling to warn of the hazards involved with the radiation source as per Australian requirements. If a business identifies that they have Class 3B or 4 lasers, the alert said they should consider if that category of laser is appropriate for the location and activity undertaken. A lower class of laser can produce a similar effect without the associated risk.

Source: SafeWork SA. (2024). <https://www.safework.sa.gov.au/news-and-alerts/safety-alerts/incident-alerts/2024/laser-safety-alert>

## Do you know what to do if there is a high, extreme, or catastrophic fire danger rating at your workplace?



Safe Work Australia has developed a new information sheet to assist PCBUs to use the national fire danger rating and warning systems to identify and assess the risks of bushfires at work.

If you are a PCBU, you must eliminate risks in the workplace, or if that is not reasonably practicable, minimise the risks so far as is reasonably practicable. This includes the risks of bushfires. Bushfires can occur at any time of the year but are more likely during warmer weather and the local bushfire season.

Conducting a risk assessment will assist you in:

- identifying any hazards that could have an impact on your workers and others in the workplace.
- assessing the risks, and

- determining the most effective control measures to manage the risks.

All states and territories have now implemented the Australian Fire Danger Rating System (AFDRS), which provides information about the risks of bushfires in the local area, and the Australian Warning System (AWS), which provides warnings during emergencies such as bushfires. The AFDRS and AWS can be useful resources when conducting your risk assessment for bushfires.

Source: SafeWork Australia. (2024). <https://www.safeworkaustralia.gov.au/media-centre/news/do-you-know-what-do-if-there-high-extreme-or-catastrophic-fire-danger-rating-your-workplace-0>

## WorkSafe WA conducts construction site security inspections

WorkSafe WA has launched a proactive inspection program which will focus on site security issues on construction sites following multiple incidents in which sites have been accessed by unauthorised persons, exposing them to serious hazards. The inspection program will look at a number of randomly selected sites across metropolitan and regional areas of the state throughout the 2024/25 financial year.



Inspectors will examine the security measures in place to determine whether sites are suitably secured against unauthorised access and will also conduct general site inspections. General site inspections will include checking for compliance with work health and safety laws, with a focus on hazards associated with:

- excavations;
- slips, trips and falls, including falls from height;
- temporary electrical installations;
- partially constructed structures;
- stored construction materials; and
- plant and equipment.

Acting WorkSafe WA Commissioner Sally North said “the proactive inspection program aimed to assist employers in the construction industry to fulfil their responsibilities for the health and safety of workers and others at their sites. The primary goal of our proactive programs is to provide information and to collaboratively work towards a reduction in work-related injuries and illnesses in the industry sectors we target. However, if our inspectors find non-compliance with work health and safety legislation, they will take appropriate action that could include the issuing of verbal directions or notices requiring the situation to be remedied. A wide range of safety issues may be present in the construction industry, and site security plays an important role in protecting the public from the hazards of a construction site. It’s our aim to make employers fully aware of the risks and supply them with information on the measures that can be put into place to lessen those risks.”

Source: AIHS. (2024). <https://www.commerce.wa.gov.au/publications/significant-incident-summary-no-1-employee-suffers-burn-injury-aerosol-can-dropped-deep>

## Ballooning company fined after worker falls through roof

A hot air ballooning company in Victoria's Yarra Valley has been convicted and fined a total of \$44,000 after a worker was seriously injured in a fall at Dixon's Creek. Global Ballooning Australia was sentenced in the Ringwood Magistrates' Court after pleading guilty to two charges under the Occupational Health and Safety Act. The company was fined \$40,000 for failing to provide safe systems of work and \$4000 for failing to notify WorkSafe immediately after an incident. The court also ordered the company to pay costs of \$9770.



In June 2021, the worker was on a shed roof cleaning gutters when he fell about three metres through a fibreglass skylight to the concrete floor below. The worker was taken to hospital and diagnosed with a fractured spine, and it took two days for the company to report the incident to WorkSafe Victoria. WorkSafe's subsequent investigation found Global Ballooning Australia had no system in place for assessing and controlling falls from height and no fall prevention measures were in place. It was reasonably practicable for the company to provide a safe system for working at height, including ensuring a fall arrest system such as a safety harness was used.

Falls from height sadly remained a leading cause of workplace death and injury across a number of industries, said WorkSafe Victoria executive director of health and safety, Narelle Beer. "Last year alone, nine workers tragically lost their lives as a result of a fall from height in Victorian workplaces, while many more suffered serious and life-altering injuries," Dr Beer said. "Each one of these incidents was absolutely preventable and will not hesitate to prosecute employers who ignore the risks of working from heights."

Source: AIHS. (2024). <https://www.aihs.org.au/Web/Advocacy-Media/All-News/2024/04-April/Ballooning%20company%20fined%20after%20worker%20falls%20through%20roof.aspx>

## Bus driver pleads guilty to breaching his health and safety duties



**A worker who acted recklessly, by crushing another worker while reversing his vehicle in an unsafe manner, has been sentenced to a community corrections order and unpaid community work in a prosecution that highlights the personal responsibility of all workers.** The incident occurred at one of the depots owned and operated by a transport company, W.R.L Management Pty Ltd, which provides school bus, taxi, and private charter services.

W.R.L Management employed Brian Irby as a bus driver from 2018. On 17 May 2022, Mr Irby returned to the depot to refuel his bus, but he was unable to as the fuel tanker was still delivering fuel. At the same time, a worker approached a minibus in the depot area to speak to the driver through the right-hand side of the window. As Mr Irby reversed back into the depot between the fuel tanker and the minibus, he told the worker to "tuck that arse in". Despite knowing that the gap was close, Mr Irby continued to reverse his vehicle and trapped the worker between the two vehicles. The worker was dragged for several



metres, suffering significant injuries as a result. She was placed in an induced coma for 3 days and later sent to a rehabilitation hospital.

WorkSafe Victoria was notified of the incident by Victoria Police and issued two improvement notices. Mr Irby was charged with breaching his duty as an employee to take reasonable care for the health and safety of other persons who may be affected by his acts or omissions at the workplace pursuant to section 25(1)(b) of the Occupational Health and Safety Act 2004 (Vic). W.R.L Management also faced charges over the incident. During the sentencing of Mr Irby, the Court was of the view that this was a serious example of the offence and it had profoundly impacted the injured worker and her family. The fact that Mr Irby proceeded to drive the bus knowing the close proximity of the worker made the offence so serious. Mr Irby pleaded guilty to the charge and was, without conviction, sentenced to be placed on a community corrections order for 12 months, with the additional condition that he undertake 75 hours of unpaid community work. Mr Irby's licence was also suspended for 6 months, and he was ordered to pay the prosecutor's costs of \$1,000.

Source: Selinger, M. (2024, February 23). Bus driver pleads guilty to breaching his health and safety duties. *Health & Safety Handbook*. Tanda. <https://www.healthandsafetyhandbook.com.au/bulletin/bus-driver-pleads-guilty-to/?ref=health-safety-bulletin-newsletter>

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## Company fined \$150,000 over fatal air conditioner electrocution

A company specialising in air-conditioner installations was recently fined following an incident in which a worker was electrocuted due to the company's failure to adhere to electrical safety requirements. The Queensland-based company was found guilty of failing to comply with an electrical safety duty, exposing individuals to the risk of death or serious injury.



The incident occurred in September 2020 at a veterinary clinic in Capalaba where the company was contracted to replace an air-conditioning unit. The incident involved a long-standing employee who had worked for the company for 15 years and lost his life while installing an air conditioner. The worker's electrical licence had expired, and the job required installation work, including relocating isolators on the air conditioners.

The magistrate presiding over the sentencing at Cleveland Magistrates Court emphasised the defendant's failure to manage electrical risks and the profound impact on the deceased worker's family.

The court acknowledged the steps undertaken by the defendant post-incident to improve safety procedures, including the engagement of a third-party consultant for a comprehensive safety review. The company was fined \$150,000, with additional costs of \$1500, and no conviction was recorded.

Source: AIHS. (2024). [https://www.aihs.org.au/Web/Advocacy-Media/All-News/2024/04-April/Company%20fined%20\\$150,000%20over%20fatal%20air%20conditioner%20electrocution.aspx](https://www.aihs.org.au/Web/Advocacy-Media/All-News/2024/04-April/Company%20fined%20$150,000%20over%20fatal%20air%20conditioner%20electrocution.aspx)

## What factors are influencing OHS offences and fines?



There are a number of important issues and trends in workplace safety offences and fines for both companies and individuals, according to the Victorian Sentencing Advisory Council. The vast majority of defendants sentenced for occupational health and safety (OHS) offences in the State were companies (83%), and of the 200 individuals sentenced, the large majority of individual defendants were male (97%) and only six of them were women. Furthermore, the most common OHS offence sentenced was an employer breaching their health and safety duties to either employees or other persons (66 % of OHS offences), and fines were the most common sentencing outcome (90% of companies received a fine).

There are a number of important factors that influence sentencing for workplace safety offences, according to McGorrery, CEO of the Victorian Sentencing Advisory Council, who observed that sentencing in Australia is an “incredibly complex exercise”. “Courts have to take into account many different factors, some of which will suggest a more severe sentence is warranted (aggravating factors) and others will suggest a less severe sentence (mitigating factors).” “The court’s job is to balance all these factors and determine an appropriate outcome that will achieve the legislated purposes of sentencing. The many differences between each case mean it’s hard to predict what factors will most influence sentencing in any given case,” he said.

He noted that certain factors were commonly influencing sentencing outcomes in OHS cases:

- the level of risk involved (how likely was the risk to occur, and what were the likely consequences),
- the level of harm caused (in cases where there was an incident arising from the risk),
- the offender’s OHS history before the risk or incident was identified,
- the offender’s behaviour since the risk or incident was identified (have they already improved their practices?), and
- whether the offender pleaded guilty or not (companies received an average discount of about 30% if they pleaded guilty).

“Above all else, the message here is a simple one, and it’s the same as it is everywhere else in the OHS space,” said McGorrery. “Be proactive. Prevent risks and incidents before they happen and be willing to respond constructively when risks are identified, or incidents occur. The penalties for allowing significant risks to occur can be severe, and courts sentencing an OHS offence will be closely scrutinising the steps taken after an incident or risk is identified.”

The Victorian Government asked the Council in January 2024 for its advice about possible reforms to the sentencing of workplace safety offences in Victoria. This included topics such as whether sentencing practices align with community expectations, whether there are ways to improve the manner in which victims and their families are included in sentencing proceedings, and how many fines imposed for OHS offences are ultimately paid. To help answer these questions, the Council released two major documents in February 2024. The first was a statistical review of how OHS offences have been sentenced in Victoria since the OHS Act 2004 came into force, so it covers a full 16 years of sentencing; the second was a detailed consultation paper seeking community and stakeholder views about 19 questions on various topics.” Written submissions are open to 31 May 2024, and submissions by way of email are encouraged. The Council is also hosting a short survey on the Engage Victoria website to seek community views, and the Council’s final report, with recommendations, is due 31 December 2024.

Source: AIHS. (2024). <https://www.aihs.org.au/Web/Advocacy-Media/All-News/2024/04-April/What%20factors%20are%20influencing%20OHS%20offences%20and%20fines.aspx>

## \$2.57 million enforceable undertaking for Queensland Department of Education

The Queensland Department of Education (DoE) recently entered into a \$2.57 million enforceable undertaking over an incident in which a student was injured while using a saw as part of a school project. On 1 June 2018, the student at Dysart State High School was injured while participating in an industrial technology and design class. At the time of the incident the student was operating a compound mitre saw to make coasters from an offcut piece of timber. The undertaking has a total minimum expenditure of \$2,569,062 including recoverable departmental costs, and includes (but is not limited to):

- an acknowledgment and clear statement of the facts and circumstances surrounding the alleged contravention
- a statement of regret and assurance about future work health and safety (WHS) behaviours
- disseminating information about the undertaking to all DoE staff, providing a copy of the EU to specified stakeholders and publishing a copy on the DoE intranet
- reviewing, updating and undergoing third party auditing of DoE's Health, Safety and Wellbeing (HSW) Management System (HSWMS). This initiative includes the development and internal publication of a HSWMS awareness training, HSW leadership training and funding for a new project support role
- updating the existing Industrial Technology and Design Practical Workshop (ITDPW) Inspection checklist to ensure a risk management approach is adopted to the identification, assessment and control of high-risk hazards
- implementing and monitoring a HSW risk register that covers all HSW hazards, identifies appropriate controls and the risk levels associated with the hazards
- establishing a safety culture framework to provide support and guidance to enable work areas to manage safety proactively.
- funding two new senior health and safety consultant training positions for two-years to assist with the implementation of the safety capability program and development of action plans and required training as a result of the survey findings
- updating HSW key performance indicators for all principals and regional directors that will focus on annual safety assessments and class 1 and 2 incident completion rates and completed workplace HSW committee meetings
- developing, implementing and regularly reviewing an assurance auditing program for ITDPWs that will assess every ITD workplace within a three-year period
- employing four internal A06 HSW consultants for a period of three years, to undertake the practical workshops internal safety assurance audits
- updating annual safety assessments at all schools to include hazards associated with ITDPWs
- developing and implementing an online mandatory WHS awareness induction program for all teachers, teacher aides, supply and contract teachers working in an ITDPW
- engaging TAFE Queensland to assist in developing a set of competency standards and specialist training aligned to an associated training package and the Australian Qualifications Framework for technologies teachers. Any teacher (including those on supply or contract), who are assigned to teach or supervise in a ITDPW will be required to meet the minimum competency standards
- researching and investigating a guarding prototype for band saws, used in state school ITDPW, which will prevent access to the blade. DoE has committed \$50,000 to engage an independent specialist to undertake risk assessments of band saws, develop a prototype skirt guard and pilot its use and assess its effectiveness. If found effective, the guard will be patented, shared with non-state schools and an additional \$100,000 of funding will be provided to state schools to assist in implementing the new guard
- partnering with Central Queensland University to provide a bursary scheme for third or fourth-year students undertaking a Bachelor of Education which specialises in technologies
- the recovery of departmental costs associated with the EU.

Source: AIHS. (2024). [https://www.aihs.org.au/Web/Advocacy-Media/All-News/2024/04-April/\\$2.57%20million%20enforceable%20undertaking%20for%20Queensland%20Department%20of%20Education.aspx](https://www.aihs.org.au/Web/Advocacy-Media/All-News/2024/04-April/$2.57%20million%20enforceable%20undertaking%20for%20Queensland%20Department%20of%20Education.aspx)

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# IN PSYCHOSOCIAL HEALTH

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## Low socioeconomic status linked to psychosocial risk

Research related to mental health has been progressively acquiring importance in occupational safety and health (OSH) matters and beyond. Previous research has often focused either on the working population as a whole or overviews of selected industries or occupations. However, there is a relative paucity of studies investigating specifically the most vulnerable social groups particularly exposed to psychosocial risks (PSRs), such as low-skilled or low-paid workers.

In an exploratory literature review, the European Agency for Safety and Health at Work found some interesting results:

- **manual workers** were at higher risk of prescription of antidepressants and/or psychiatric care with a diagnosis of mental disorder when compared with non-manual workers.
- the most elevated risk was observed in those employed in **health and social services** (with a high share of female employment) and lowest for **construction workers**.
- **lower levels of job control** (skill discretion and decision authority) were associated with **higher risks of clinically diagnosed depressive disorders**; the association was higher for men than for women. LSES (low-skilled and low-paid) occupations are usually characterised by low job decision latitude or low autonomy in the job.
- low-skilled occupations in certain workplace settings (including health and care, construction, manufacturing and agriculture) **are more prone to suicide risks than others**.
- typical industries in which a majority of **young people** are employed (e.g. tourism and hospitality) have been disproportionately affected by reduction in job quality and increase in job insecurity due to the **long-term repercussions of the COVID-19 pandemic**.
- in comparison to their elder counterparts, young labour forces are more vulnerable to **workplace bullying and conflict** with supervisors and colleagues. This is also accompanied by higher risks of **sexual harassment** and episodes of **social injustice** as well as **inequity** in treatment when compared to older workers.
- hotel staff or food/catering servers are exposed to high job demands regarding the **intensity of work** in terms of both task requirements (workload) and **emotional demands in dealing with customers**.
- the healthcare and social care sector stands out for the **high exposure to PSRs compared to other sectors**.
- the share of **low-wage** and **low-skilled** employees among **temporary** workers is much higher than the average
- the **professional cleaning** sector (with emphasis on company-based but also domestic experiences) is acknowledged by the literature as a potentially risk-prone psychosocial environment.

**Future research support and actions** are needed aimed at Low Socioeconomic Status (LSES) workers. They should also consider other non-standard employment relationships (e.g. subcontracting, temporary agency work) and other precarious forms of work that may well carry additional risks and that are often overlooked in terms of OSH measures either at employer or client level. Likewise, it is also necessary to consider the impact of specific working conditions as OSH risks for future action (e.g. low income, low resources, contractual issues).

Source: European Agency for Safety and Health at Work. (2023). *Psychosocial risk exposure and mental health outcomes*. Author.

[https://osha.europa.eu/sites/default/files/documents/829%20R%20psychosocial\\_risks\\_low\\_socioeconomic\\_status\\_report\\_en.pdf](https://osha.europa.eu/sites/default/files/documents/829%20R%20psychosocial_risks_low_socioeconomic_status_report_en.pdf)

## Domestic violence and the workplace

Most incidents of domestic violence involve male perpetrators and female victims. Even though 9 times as many women than men are killed by their partner or ex-partner, men can be victims of domestic violence from both female and same-sex partners or ex-partners.

It can become an issue in the workplace when there is harassment, threats or stalking behaviour by a partner or ex-partner, causing stress to the worker and having a significant impact on them getting to work and remaining in the job. This is further problematic when the partner or ex-partner is in the same workplace. Some countries have formally recognised this as a workplace issue, such as Australia, New Zealand, and Ontario in Canada and parts of Europe. In some EU member states, certain sized companies must include safety issues such as domestic violence in their gender equality plans.

There is also a high economic cost in not addressing not addressing domestic violence at work, in terms of lost productivity, absence from work and lost jobs. There are countries (such as Albania, Italy, Spain, Greece, and the UK, and most EU Member States) who have ratified the International Labour Organisation (ILO) Violence and Harassment Convention No.190, which then adopt the measures set out in the Convention. The Convention recognises that violence and harassment at work can be a human rights violation or abuse, posing a threat to equal opportunities. It defines “violence and harassment” as behaviours, practices, or threats “that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm.”



Image: DV Free

ILO Recommendation 206 provides guidance on practical measures for implementing the Convention, including leave for victims of domestic violence, flexible work arrangements and protection for victims of domestic violence, temporary protection against dismissal for victims of domestic violence, as appropriate, except on grounds unrelated to domestic violence and its consequences, the inclusion of domestic violence in workplace risk assessments, a referral system to public mitigation measures for domestic violence, where they exist and awareness-raising about the effects of domestic violence.

Workplace agreements and policies on domestic violence at work in Europe feature definitions of domestic violence, including physical, sexual, psychological, financial violence, and coercive control, and how it impacts the workplace. There should be confidentiality, non-discrimination, and non-retaliation against employees, clear roles and responsibilities for managers, including a named contact point in HR and/or person of trust/advocate to provide confidential information for workers and protocols and safety measures on support in different work situations, including in customer-facing roles and in teleworking / remote and hybrid working.

Paid leave can be taken flexibly, extended in exceptional circumstances, and linked to reintegration support following a period of leave. There should also be flexible working time and/or changes in work shifts, agreed for a defined period to protect the safety of workers during working hours. If a worker needs to relocate, there should be assistance with geographical re-location, with further assistance with emergency or safe housing. Employees should have access to financial support and loan or salary advances.

Risk assessments should include domestic violence and there should be individualised risk assessments and safety plans to address risks of violence and harassment for a worker and co-workers in the workplace from a former or current intimate partner. Employees who have obtained restraining or protection orders or emergency barring are assisted with practical safety planning if there is a risk that the order will be breached. Organisations that are able to support their customers affected by domestic violence can formulate guidance and communicate and raise awareness with customers about preventing domestic violence, including digital safety and advice relating to financial abuse. Form partnership(s), including funding, for local or national domestic violence organisation(s) for referrals, advice, guidance, training, and information, and to ensure that companies contribute to the wider social goal to end of domestic violence.

A guide on domestic violence and work by The Canadian Public Services Health and Safety Association (PSHSA) [34] has suggested that an employer could provide education on help available to victims and abusers, along with lists of internal and community resources and a list of external support services for victims, abusers, co-workers and witnesses. They also suggest there should be policies on paid time off, extended leaves of absence and workplace relocation for victims of domestic violence, as well as accountability measures for abusers in the organisation. Other measures include training and education on domestic violence and the prevention of workplace violence, including domestic violence.

Copsey, S. (2024). *Domestic violence and the workplace*. OSHA. <https://shwiki.osha.europa.eu/en/themes/domestic-violence-and-workplace>

## **Bridging prevention and injury care: The "It Pays to Care" strategy for holistic psychosocial health at work**

In the ever-evolving landscape of occupational health and safety (OH&S), protecting workers extends far beyond physical risks, delving into the realm of psychosocial hazards. These are aspects of work and its environment that significantly impact individuals' mental health and well-being. The policy framework "It Pays to Care" is at the forefront of championing this broader perspective, emphasising the intertwined nature of physical and psychosocial care within the workplace.

The Australasian Faculty of Occupational and Environmental Medicine (AFOEM) is spearheading a national initiative to foster discussion on the development of fair and efficient workers' compensation schemes, aimed at enhancing health and recovery outcomes while minimising barriers to care for individuals affected by work-related injuries. In their commitment to this cause and the Health Benefits of Good Work®, AFOEM has introduced two policy papers:

1. Bringing evidence-informed practice to work injury schemes delves into the impact of psychosocial factors on the rehabilitation process and suggests improvements across leadership, regulation, case management, workplace integration, and healthcare delivery.
2. A values and principles based approach to bringing evidence-informed practice to work injury schemes highlights the significance of proactive care, AFOEM points out the worse health outcomes and disability rates in compensable versus non-compensable settings, underscoring the pressing need to refine work injury systems for better physical and psychological health outcomes and to mitigate the risks associated with long-term work absence.

Psychosocial hazards, such as unmanageable workloads, limited control over work processes, and insufficient support from supervisors or colleagues, are not just abstract concerns. They manifest in tangible outcomes: increased staff turnover, higher rates of physical and mental injury claims, higher rates of sickness absence and more challenging return-to-work (RTW) trajectories.

It pays to care sheds light on the necessity of recognising and mitigating these hazards as a pivotal component of holistic worker care.

The financial implications of not addressing psychosocial hazards are stark. Elevated levels of workplace stress and associated health issues escalate claim expenses and diminish overall productivity. It pays to care's approach underscores the economic sense in proactive psychosocial hazard management. By significantly reducing the frequency and severity of claims, organisations can realise considerable cost savings. These savings offer a golden opportunity to further invest in comprehensive OH&S initiatives, creating a virtuous cycle of workplace well-being and safety enhancements. The financial benefits are just one side of the coin. The real value of It pays to care lies in its holistic view of worker health and safety, advocating for a workplace culture where every employee feels supported in both physical and mental health

aspects. This includes ensuring that psychosocial risks are identified and addressed promptly, fostering an environment where workers are not just safe but also feel valued and understood.

Collaborative stakeholder engagement is a pillar of the It Pays to Care's approach. It champions a united effort from employers, employees, and healthcare providers to construct safer, more supportive work environments. This collaborative ethos is essential for streamlining RTW processes, ensuring workers receive comprehensive care that acknowledges the full spectrum of health and safety, including the often-overlooked psychosocial components.

As we continue to advance our mission through It Pays to Care, we invite the broader OH&S community to join us. By integrating It Pays to Care principles into OH&S strategies, organisations can not only enhance worker well-being but also achieve notable improvements in operational efficiency and financial performance. Together, we can create workplaces that not only manage psychosocial hazards effectively but also champion a culture of care and support, laying the foundation for a healthier, more productive workforce.

By Dr Mary Wyatt MBBS FAFOEM, provided by Dr Amy Bright.

<https://www.racp.edu.au/policy-and-advocacy/division-faculty-and-chapter-priorities/faculty-of-occupational-environmental-medicine/it-pays-to-care>

<https://itpaystocare.org/>

<https://www.linkedin.com/company/itpaystocare/>

## School principals highly stressed over workplace violence



Image: AIHS, 2024.

Nearly 43 per cent of school principals triggered a “red flag” email in 2023, indicating serious psychosocial risks, potential for self-harm or serious impact on their quality of life, according to a recent research report. It also found that 54 per cent of principals reported being subjected to threats of violence (up from 49 per cent in 2022), 48 per cent reported being subjected to physical violence (up from 44 per cent in 2022) and bullying levels also rose to 38 per cent (up from 34 per cent in 2022).

The most recent Australian Principal Occupational Health, Safety and Wellbeing Survey, which was conducted by the Australian Catholic University (ACU), also found that principals were concerned about the welfare of staff and students. Their top five concerns for staff were burnout, stress, anxiety, depression, and alcohol and/or drug use, while anxiety, school refusal, depression, stress, and self-harm were leading causes of concern for their students.

ACU investigator and former principal, Dr Paul Kidson, said the numbers represented a substantial increase, which pointed to a worrying trend supported by the other findings. “It is a drastic increase when you look at the whole picture,” Kidson said. “Principals’ workloads, stress caused by issues including the national teacher shortage across public, Catholic, and independent schools, and demands outside the classroom have

escalated to unsustainable levels. “We are now seeing the cumulative impact of this on principals’ health and wellbeing, and we are very concerned about the increasing steepness of those trends as they are heading in a very distressing direction. This data shows serious dashboard warning lights flashing all over the place. These are warning signs that we have not seen so acutely before, and we have almost 2500 people saying the same thing.”

The survey found that sheer quantity of work remains the highest source of stress for school leaders, and lack of time to focus on teaching and learning remains the second highest source of stress. Mental health issues of staff and students were in the top five sources of stress for 2023, moving up into third and fourth as teacher shortages has moved down slightly to sixth. IPPE co-lead investigator and leading school wellbeing expert Associate Professor Theresa Dicke said the impact of wide-ranging stressors on school leaders, including ongoing teacher shortages, was becoming acute. “The fact that these stressors remain the same as in 2021 indicates the level of importance in addressing these concerns,” she said. “We need to progress and implement effective solutions that support and empower principals in their vital roles. “We have seen how education experts and political leaders can work collaboratively on solutions to the teacher shortage, and now we need to support our principals by heeding their serious and valid concerns.”

AIHS. (2024). <https://www.aihs.org.au/Web/Advocacy-Media/All-News/2024/04-April/School%20principals%20highly%20stressed%20over%20workplace%20violence.aspx>

## Sign company and director fined \$40,000 for workplace bullying



A company director and his Oakleigh South signage firm in Victoria have been convicted and fined a combined \$40,000 over the long-term bullying of a subcontractor. Printco (Aust) and its director Neil Pearson were sentenced in the Moorabbin Magistrates’ Court after pleading guilty to a single charge each under the Occupational Health and Safety Act. The company was convicted and fined \$20,000 for failing to provide and maintain a safe system of work, while Pearson was convicted and fined \$20,000 for failing to take reasonable care as an officer of the company. Pearson and Printco were also ordered to pay combined costs of \$9,309.

The court heard the sub-contractor suffered verbal abuse, intimidation, and threats by Pearson over four years. The bullying culminated in a phone call in August 2021, recorded by the subcontractor, during which Pearson yelled, swore, and abused them after they questioned the legality of working during a COVID-19 lockdown. The subcontractor described feeling anxious and worn down by the abuse and developed a mental injury that left him unable to work.

WorkSafe Victoria inspectors visited the workplace and found that the subcontractor was one of a number of workers who had been subject to Pearson’s inappropriate behaviour. While the company had policies and procedures in place to address workplace bullying, they were found to be inadequate as they did not provide information about how to report inappropriate workplace behaviour, did not provide definitions or examples of bullying, and workers had not been provided any training. It was reasonably practicable for Printco and Pearson to have provided and maintained a safe system of work for identifying, reporting, investigating, and stopping inappropriate workplace behaviour, including workplace bullying.

“WorkSafe will simply not tolerate this sort of abhorrent behaviour in any Victorian workplace, particularly when it is perpetrated by those in positions of power,” said WorkSafe Victoria executive director of health and safety, Narelle Beer. “I hope this case can prompt other employers to reassess their own practices and ensure they themselves are setting clear standards for appropriate workplace behaviours.”

Source: AIHS. (2024). [https://www.aihs.org.au/Web/Advocacy-Media/All-News/2024/03-March/Sign%20company%20and%20director%20fined%20\\$40,000%20for%20workplace%20bullying.aspx](https://www.aihs.org.au/Web/Advocacy-Media/All-News/2024/03-March/Sign%20company%20and%20director%20fined%20$40,000%20for%20workplace%20bullying.aspx)



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## EMPLOYMENT OPPORTUNITY

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GRES have an exciting opportunity available for someone to take the next step in their Work Health and Safety career. In this position you will be reporting directly to the Manager - HSE, and you will be responsible for workplace health, safety, and injury management. This role is based in our Ascot office with an expectation of site visits to full fill the requirements of the role.

### Key Responsibilities for this role include:

- Assist in the management of workers compensation and injury management in accordance with current legislation.
- Liaise with injured employees, managers/supervisors, doctors, rehabilitation providers and insurers to ensure effective claims management.
- Track, monitor and report on claim status, costs and trends.
- Coordinate initiatives within the health and wellbeing program.
- Conduct Training sessions for Supervisors on Worker's Compensation and Workplace health and Safety.
- Conduct investigations and implement controls to prevent re-occurrence.
- Entering of data into the GRES HSE Management System.
- Identify the need for external professionals such as rehabilitation providers.
- Site travel to ensure safety practices are being followed and implement new practices where required.
- Conducting air sampling for dust, heavy metals (e.g. welding fumes, silica) and volatile organic compounds in accordance with relevant standards or guidance documents.
- Conduct noise surveys and noise dosimetry.
- Use of scientific testing equipment / maintain calibration requirements.

### Skills and Experience

- Previous experience in Injury Management, Rehabilitation or Worker's Compensation Management.
- Ability to build and maintain effective working relationships with key stakeholders, both internally and externally.
- Understanding of construction risks associated with health and ergonomics.
- Knowledge of Health Promotion strategies and understanding of effective employee health program design and evaluation techniques.
- Participation in health teams that have successfully reduced workplace exposures and improved employee health through Fitness for Work programs.
- Demonstrated ability to negotiate, influence and implement change.
- Extensive knowledge of Australian HSE and Workers' Compensation Legislation and Standards.
- Demonstrated ability to apply evidence-based knowledge of physical conditioning and injury management to an occupational and/or high-performance setting.
- Demonstrated understanding and application of workers' compensation and best practice return-to-work.
- Implement, manage, and maintain health and hygiene programmes across the business including but not limited to:
  - o Health and Hygiene Monitoring.
  - o Health Surveillance.
  - o Fitness for Work strategies.

### Ideally, you will have:

- 3 to 5 years' experience in the coordination of injury management services in a large multidisciplinary organisation.
- Certificate IV OHS/WHS or higher qualification.
- Degree in Occupational Hygiene.
- Demonstrated experience in health & hygiene program implementation & coordination.
- Skills in developing, delivering, and executing health and hygiene programs.
- Experience working within the mining & resources industry.
- Demonstrated exposure to and understanding of relevant statutory requirements, standards, and best practice.
- Professional membership of AIOH.
- Manual Drivers licence.
- Noise officer qualification will be beneficial.
- Certificate IV Trainer & Assessor.
- Lead ICAM Investigator.
- Return To Work Coordinators certificate.
- Senior First Aid Training.
- Great verbal and written communication.
- Excellent time management skills with a keen eye for detail.
- Proficient computer skills with a sound knowledge of Microsoft Office suite (Word and Excel).

At GRES, we offer a competitive remuneration package and a collaborative and supportive team environment with all the tools to succeed. With over 800 employees across Australia, our focus is to create a rewarding working environment where you will be valued and appreciated for your knowledge, experience, and innovative mind. GRES is an equal opportunity employer and believes that diversity, equity and inclusion deepens our depth of knowledge, capability and experience. Applicants from all backgrounds are welcome.

***GR Engineering Services Limited (GRES) specialises in providing high quality engineering design and construction services to the mining and mineral processing industries. Our services cover all aspects of a project life cycle from the initial evaluation and study phase through to design, construction, commissioning, and operational support.***

If you have the experience and qualifications for this employment position and would like to apply, please email your CV to Ryan Hahn, email address [ryan.hahn@gres.com.au](mailto:ryan.hahn@gres.com.au)





# Occupational Health Society of Australia (WA)

## APPLICATION FOR MEMBERSHIP

### MEMBER INFORMATION

|                             |  |
|-----------------------------|--|
| Title (Mr, Mrs, Ms, Dr etc) |  |
| First name                  |  |
| Surname                     |  |

### PREFERRED MAILING DETAILS

|   |  |          |  |
|---|--|----------|--|
| Address                                   |  |          |  |
| Suburb                                    |  | Postcode |  |
| Home Phone                                |  | Mobile   |  |
| E-Mail                                    |  |          |  |
| Special interests (for Society Directory) |  |          |  |

### EMPLOYMENT INFORMATION – Only complete if you wish company to be recorded against your name

|                       |  |
|-----------------------|--|
| Company/Self Employed |  |
| Work Phone            |  |
| E-Mail                |  |

### APPLICATION FOR:

- Full Membership \$50 for 1 year; \$100 for 3 years.  
 Corporate Membership \$100 for 1 year; \$200 for 3 years.  
 Student Membership \$20 for 1 year; \$40 for 3 years. Student Number: \_\_\_\_\_

An invoice will be issued once the Committee has accepted this application. *Membership includes receiving the Monitor Newsletter.*

### AGREEMENT

I certify that the information provided in this application is correct and I agree to adhere to the Occupational Health Society Constitution. I also give consent to the Society to collect, use and disclose my personal information in accordance with the National Privacy Principles in matters relating to the Society.

Signature \_\_\_\_\_ Date \_\_\_\_\_

### CONSENT

I hereby consent to have my details displayed in the Society's directory.

Signature \_\_\_\_\_ Date \_\_\_\_\_

The Secretary OHSWA, 639 Murray St, West Perth, WA 6005

E-mail: [ohswa@outlook.com.au](mailto:ohswa@outlook.com.au)


Website: [www.ohsociety.com.au](http://www.ohsociety.com.au)

ABN: 83 170 105830

The OHSWA is a non-profit representative body providing expert advice to Government at all levels and support to OHS professionals.



## The Occupational Health Society of Australia (WA Branch) – 30 April 2024 Tuesday from 6 pm OccuMED 331 Great Eastern Highway Redcliffe WA 6104 (onsite free car parking)

Sponsored by 

**Dr John Low**  
MBBS (UWA), Grad Dip OHS FAFOEM  
AMS AHP OGUK MRO GAICD



Managing Partner / Chief  
Occupational & Environmental  
Physician

**Dr John Low** MBBS(UWA), Grad.Dip OHS, FAFOEM. GAICD as OccuMED's managing partner & chief occupational physician will present the health monitoring services offered by Occumed which will be followed by a demonstration on reading chest x-rays according to the ILO Classification by OccuMED consultant occupational physician **Dr K C Wan**, MBBS, DIH, M.Sc, MFOM, FACOEM, FAFOEM, G.dip Public Admin and former Worksafe WA chief occupational health physician Occupational medicine adjunct professor Edith Cowan University & Curtin University, Chair/member WorksafeWA Industrial Diseases Medical Panel (IDMP)



To attend please register in advance by email to OHSWA secretary Carl [ohswa@outlook.com.au](mailto:ohswa@outlook.com.au). For more information, please get in touch with Vice President [DrAmyBright@omema.com.au](mailto:DrAmyBright@omema.com.au). There is no charge for OHSWA members or non-members who register to attend. The event will not be webcast. However, a non-refundable fee of A\$50 is payable in advance at registration for non-members who wish to attend the chest x-ray reading session, or they can join the Society using the attached membership application form.

**Please note that participants for the ILO chest x-ray reading session will be limited to 20 with medical professionals as a priority.** Attendance will be recorded for CPD if required.

**When:** 30 April 2024 Tuesday 6 pm  
**Time:** Presentation 1 commences at 6.00 pm.  
**Where:** OccuMED 331 Great Eastern Highway WA 6104. Free parking.  
**Cost:** Attendance is free for Occupational Health Society Members.  
**RSVP:** By 26th April 2024 to the Society's Secretary by e-Mail: [ohswa@outlook.com.au](mailto:ohswa@outlook.com.au)  
**Payment Details:**  
Account Name: Occupational Health Society. BSB: 066 161.  
Account No: 1003 7010. Payment can also be made at the event before commencement.



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This venue will feel like a mini staycation for WA delegates and a vacation for visitors. Various accommodation rooms available to cater to all guests including families, couples and singles. Accommodation bookings will open shortly, so stay tuned!