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## Rights and responsibilities of employers

According to WorkSafe Victoria the employer must provide a safe and healthy workplace for all workers and contractors. Here is a summary of an employer's rights and responsibilities.

### An employer's rights and responsibilities include:

- ▶ providing and maintaining safe plant (such as machinery and equipment) and safe systems of work (such as controlling entry to high-risk areas, and controlling work pace and frequency)
- ▶ maintaining the workplace in a safe condition (such as ensuring fire exits are not blocked, emergency equipment is serviceable, and the work site is generally tidy)
- ▶ providing workers and contractors with adequate facilities (such as clean toilets, cool and clean drinking water, and hygienic eating areas)
- ▶ making sure workers have adequate information, instruction, training and supervision to work in a safe and healthy manner
- ▶ keeping information and records relevant to their workers' health and safety (such as first-aid records and relevant medical information)
- ▶ consulting with workers on matters that may directly affect their health, safety or welfare
- ▶ providing your workers with information in the appropriate language about workplace health and safety arrangements, including the names of those to whom the workers can make an inquiry or complaint.

To read about workplace employer rights and responsibilities go to: [www.worksafe.vic.gov.au/laws-and-regulations/employer-rights-and-responsibilities](http://www.worksafe.vic.gov.au/laws-and-regulations/employer-rights-and-responsibilities)

### Example

#### Follow workplace policies and procedures for safe work practices

Here is an extract from the *Work Health and Safety Act 2011* (Cth):

Sec. 28 – Duties of workers

While at work, a worker must:

- a. Take reasonable care for his or her own health and safety; and
- b. Take reasonable care that his or her acts or omissions do not adversely affect the health and safety of other persons; and
- c. Comply, so far as the worker is reasonably able, with any reasonable instruction that is given by the person conducting the business or undertaking to allow the person to comply with this Act; and
- d. Cooperate with any reasonable policy or procedure of the person conducting the business or undertaking relating to health or safety at the workplace that has been notified to workers.



# 1C Follow workplace emergency procedures

An emergency is a sudden unexpected event or situation that requires immediate action to prevent or limit casualties. Although emergency situations are of an unforeseen nature, organisations can still plan responses in the event a situation does occur. Workers have a duty of care to take reasonable action to manage an emergency situation. They must familiarise themselves with workplace policies and procedures, including any emergency management plans, to ensure they know what to do if an emergency such as a fire or medical event occurs.



## Types of emergencies

As emergencies may include any abnormal or sudden event that requires immediate action, it is important that staff members are prepared for such situations. They must be aware of the types of emergency they may face within their workplace and, most importantly, what to do if such an event occurs. Everyone acknowledges the need for a fire evacuation (emergency plan), but there are other emergencies, as listed below, which may require action in the workplace.

Emergencies may include:

- ▶ serious injury events such as a broken arm or leg due to a fall
- ▶ fires and explosions that require evacuation
- ▶ hazardous substance and chemical spills that require evacuation
- ▶ explosions and bomb alerts that require evacuation
- ▶ security emergencies such as a person displaying dangerous or threatening behaviour to themselves or others
- ▶ internal emergencies such as loss of power or water supply and structural collapse
- ▶ external emergencies and natural disasters such as flood, storm and traffic accidents impacting on the organisation.

## Identify signals and alarms

In any workplace it is critical for all workers to recognise emergency signals and alarms and understand the response procedures. For this to occur, workers must have access to the written procedures and protocols, and general evacuation information, for emergencies. All workers must understand emergency communications and alarm signals so they can be used in accordance with procedures and regulatory requirements.

On commencement of employment all workers must receive a WHS induction, which includes instruction for how to identify and respond to emergency signals and alarms. The exact type and nature of alarms, signals and emergency announcements will vary according to the workplace.

## Emergency drills

Organisations will regularly test alarms and evacuation procedures. Staff must participate in these drills to be familiar with the sound of the alarms and to be able to respond correctly to the emergency response and evacuation procedure. This will include assisting people requiring support, visitors and other staff when necessary.

Do not enter a building while an alarm is sounding, or re-enter an evacuated building until the 'all clear' has been announced by the designated person or the attending emergency services.

## Emergency signage

Most workplaces have signs that provide information or direction when responding to emergency situations. For example, if there is a fire, explosion or other emergency requiring evacuation of a building, green exit signs should remain lit from an emergency power source; fire extinguishers should be clearly identifiable; and first-aid kits should be located in each work area. It may be necessary (for example, if responding to a chemical spill), to wear personal protective equipment (PPE), which includes gloves, goggles, boots, coats, disposable coveralls and mask respirators.

Here are three examples of emergency signage.



**Fire extinguisher**



**Radiation danger**



**Emergency assembly point**

## Respond to different types of emergencies

There are many different types of emergencies each one with some individual criteria that need to be understood by all members of the work group, as described below.

### Personal emergencies

People requiring support or other staff members may have medical conditions that require a quick and confident response.

A person who has been trained in first aid needs to be notified immediately and commence the appropriate course of action, until an ambulance arrives.

### Evacuation

The first priority in an evacuation is to ensure all people who may be in danger are warned and action is taken to guarantee their safety. Warnings are usually given by sounding a siren or alarm, which staff members know signifies the need to begin an evacuation. Procedures are then followed to prevent the spread of the hazard, secure assets or to eliminate the hazard.

## Control risks and address hazards

Workers and employers are required to ensure health and safety by controlling risks and addressing hazards. It may not be possible to eliminate hazards completely, but if they are controlled effectively, the risk to workers and others can be minimised.

Dealing with hazards may require direct action by a worker to remove or report the hazard so action can be taken. Prior to starting work or an assigned task, every worker should try to identify and address any hazards.



## Contribute to risk assessments

Risk assessment is the process of determining the level of risk associated with a particular hazard. This assessment process assists to determine what should be done to address the hazard and the urgency of the action required. Risk assessment is most effective when it is done in consultation with workers who are familiar with the workspace and aware of the hazards.

The steps involved in assessing risks are outlined below.

### Risk assessment

Gather information about each identified hazard.

Consider the level of exposure to the risk; that is, the number of people exposed and the duration of the exposure.

Use the information to assess the likelihood of harm (very likely, likely, unlikely, highly unlikely).

Assess the consequence or impact of the hazard (death, significant injuries, minor injuries, negligible injuries).

Use a risk assessment matrix to work out the risk associated with each hazard.

## Assess risk

Here are some examples of questions that are frequently asked during the assessment process.

### Categorise risks

- ▶ What is the nature of the hazard? For example:
  - fatigue
  - aggressive behaviour
  - trip hazard, etc.
- ▶ What is the location of the hazard?
- ▶ Does the hazard represent a danger to public safety?

To learn more about incident notifications and notifiable incidents, read Safe Work Australia's Incident Notification Information Sheet at: [www.safeworkaustralia.gov.au/sites/SWA/about/Publications/Documents/690/Incident-Notification-Fact-Sheet-2015.pdf](http://www.safeworkaustralia.gov.au/sites/SWA/about/Publications/Documents/690/Incident-Notification-Fact-Sheet-2015.pdf)

**Example**

**Identify and report incidents and injuries according to workplace procedures**

Here is an example of an incident reporting process.

**Incident reporting process**

**1. Complete an incident report form**

The worker, witnesses or person involved in an incident must complete an incident report and make an entry in the injury register (if injured). Documents must be completed and the incident reported to management within 24 hours.

**2. Report the injury**

The responsible manager will report any injury to the insurer and WorkCover authority (if applicable) within the statutory reporting time frames.

**3. Take action to eliminate the hazard**

Management, in consultation with the responsible health and safety representative, health and safety committee and workers, will ensure immediate interim action is taken to either eliminate the hazard or to minimise risk within the workplace.

**4. Investigate the incident**

The responsible manager will form an investigation team, investigate the incident and review concerns raised.

**5. Review the incident**

The responsible manager will carry out the necessary interviews and review any documentation.

**6. Finalise documentation**

The responsible manager will complete the final section of the incident report.

**7. Complete risk management documents**

The responsible manager will complete the necessary risk management documentation; that is, the risk register and action plan.

**8. Take corrective actions**

Corrective actions will be implemented according to the risk action plan.

**9. File documents**

All documentation must be kept on file for easy access and retrieval.

**10. Review the organisational response**

All incidents and organisational responses will be reviewed by management and health and safety representatives.

## Safety signs

Signs are used to provide information or direction when there is a hazard or an emergency situation. For example in an emergency situation, the green exit signs should remain lit from an emergency power source; fire extinguishers should be clearly identifiable and their location known; and first-aid kits should be located in a known work area. In some cases in community services sector work roles there may be cases where PPE is required, which includes disposable gloves, goggles or an apron. Other PPE may include boots, coats and disposable coveralls and mask respirators (used in case of gas leak or chemical hazards).

Signs should be clear to read and training as to their uses and meanings should occur during staff induction. Here are examples of some signs and their meanings. In most cases they mean that certain equipment must be worn, or where something is located.

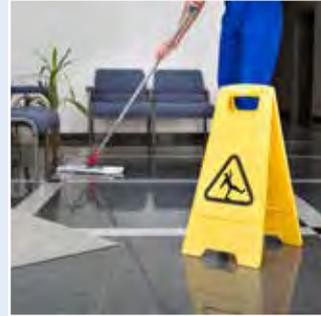
|  |   |   |
|--|---|---|
|  <p><b>Protective or disposable gloves must be worn</b></p> |  <p><b>Ear protection must be worn</b></p>         |  <p><b>Eye protection must be worn</b></p> |
|  <p><b>Hard hats must be worn</b></p>                     |  <p><b>Hairnets must be worn</b></p>             |  <p><b>Aprons must be worn</b></p>       |
|  <p><b>Exit locations</b></p>                             |  <p><b>Fire extinguisher locations</b></p>       |  <p><b>Fire exit locations</b></p>       |
|  <p><b>First-aid kit location</b></p>                     |  <p><b>Emergency assembly point location</b></p> |  <p><b>Fire blanket location</b></p>     |

You can read more about hazardous substances and dangerous goods and their classifications at: [www.safeworkaustralia.gov.au/sites/swa/whs-information/hazardous-chemicals/dangerous-goods/pages/hazardous-substances](http://www.safeworkaustralia.gov.au/sites/swa/whs-information/hazardous-chemicals/dangerous-goods/pages/hazardous-substances)

**Example**

**Take actions to maintain safe housekeeping practices in your own work area**

Tony, a support worker, notices that the common room floor in the residential care facility is quite slippery as a result of humidity, recent rain and residents not wiping their feet properly before coming inside.



Tony decides that it would be dangerous to wait for one of the cleaning staff to deal with the floor so, after reporting the hazard, he deals with it himself. He gets a mop from the cleaners store to dry off the floor and puts a wet floor sign up at either end of the room. Tony also asks one of the administration staff if she can prepare a large sign to go on the outside doors to ask residents and guests to carefully wipe their feet. He also puts up a sign to indicate 'Wet Floor' in the area. Tony then makes a note in the support worker's daily record book for other staff to see.

## Practice task 6

1. What does WHS housekeeping involve?

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2. What is the main purpose of signs used for WHS? Provide an example.

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3. What may happen with exposure to a hazardous substance?

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## Methods

- ▶ Appoint HSRs and provide them with reasonable access to staff during working hours.
- ▶ Involve workers in workplace inspections and/or asking for their feedback during workplace inspections to assess hazards and risks and strategies to fix the problems
- ▶ Involve workers in risk assessments and/or ask for their feedback during risk assessments.
- ▶ Encourage WHS discussion at regular team meetings.
- ▶ Form a health and safety committee (HSC), and providing HSC members with reasonable access to workers during working hours.
- ▶ Ask workers for their feedback during informal conversations.

## Participate in WHS consultation

Team meetings are a particularly useful way to consult with team members about safety issues. You may find that time is provided for discussion of WHS at each team meeting. If you wish to raise an issue, you should clearly explain it, refer to any evidence you have, and if possible, make a suggestion for how to solve the issue raised. Your supervisor may use this information to investigate further. Any issues that cannot be resolved or that may impact on other areas of the organisation will be referred to relevant staff (such the HSC or the HSR).

During team meetings, your supervisor may:

- ▶ report on recent workplace incidents
- ▶ report on production time lost to workplace injuries
- ▶ report on new practices to improve WHS
- ▶ ask team members to raise WHS issues
- ▶ ask team members to describe any hazards that have been identified
- ▶ provide you with a copy of the minutes of recent HSC meetings.

## Work safety inspections

Work safety inspections can be conducted from within the organisation or when a state or territory regulatory authority conducts an inspection. Inspections are another good way to consult with team members about safety issues. Workers have valuable first-hand information and experience of the various things that may give rise to hazards in the workplace. It is therefore important that managers allow workers to participate in safety inspections.

By participating in safety inspections, the workers will also gain valuable insight into workplace hazards, assessing risk and use of controls to effectively manage WHS issues.

A work inspection may observe and record the following information.

A work safety inspection may include:

- ▶ concerns of workers and their representatives
- ▶ the number of workplace hazard and incident reports
- ▶ environmental factors contributing to risk

## Summary

1. Workers must comply with organisational policies and procedures when raising WHS issues. If the matter cannot be resolved within their workplace they have the option of making a complaint to the government agency responsible for worker safety in their state or territory.
2. Workers can make a valuable contribution to workplace safety by participating in meetings, taking on WHS responsibilities and by contributing to consultative efforts to improve workplace safety.
3. A health and safety representative (HSR) is a person from your workplace who has been elected by the workers to represent them on WHS issues.
4. Health and safety committees (HSCs) consist of management and workers who meet regularly to discuss WHS issues.
5. Your employer is required by legislation, regulations, codes of practice and workplace procedures to consult with you and your work colleagues about any WHS matters that affect you
6. Participating in consultation processes in your organisation enables you to contribute to decisions that affect health and safety.
7. Workers can make a valuable contribution to workplace safety because they are familiar with the work environment and its hazards.
8. By participating in work safety inspections the workers will also gain valuable insight into workplace hazards, assessing risk and use of controls to effectively manage workplace health and safety issues.
9. Risk assessment is most effective when it is done in consultation with workers who are familiar with the workspace and aware of the hazards.



## Topic 4

In this topic you will learn how to:

**4A Identify ways to maintain currency of safe work practices in regard to workplace systems, equipment and processes**

**4B Reflect on your own levels of stress and fatigue, and report according to workplace procedures**

## Reflect on your own safe work practices

WHS legislation, policies, procedures and practices are part of an ongoing continuous improvement process. For this reason, WHS matters are always being updated and it is important that you are able to reflect on your own safe work practices and ensure they are best-practice and in compliance with current legislation, standards and codes of practice.

Reflecting on your practice includes checking the currency of your workplace practices and also being able to reflect on your own levels of workplace stress and fatigue. If you feel that you are not coping with stress and fatigue then you should seek assistance by reporting this to your supervisor and considering stress management solutions.