

SPRING 23

# WORKPLACE

## ISSUES

### MANAGING FATIGUE, NOISE

Get the codes for a  
safe workplace

### WORKERS COMPENSATION

New resources,  
premium rates, Q&A

**BUILDING  
POSITIVE  
CULTURE  
IN THE  
WORKPLACE**

**Work Safe**  
TASMANIA



## ELISE ARCHER MP

**Attorney-General  
Minister for Workplace  
Safety and Consumer Affairs**

**Refresh your work health and  
safety this October**

Welcome to the August edition of  
Workplace Issues.

The Tasmanian Government is committed to improving the health, safety and wellbeing of all Tasmanian workers. We want to see fewer injuries in workplaces, both physical and mental, and help ensure that Tasmanian workers return home safely to their families at the end of each day.

WorkSafe Month, held annually in October, is one initiative that can help us achieve those goals. Whether you're a worker, manager, health and safety representative, or employer,

the Month is your opportunity to hear new insights that can help you improve your workplace and personal safety, wellbeing, and return to work outcomes.

I'm always impressed by the way this event grows each year, to embrace topics outside the traditional definition of workplace safety, and to attract innovative keynote speakers and presenters at the top of their field who can stimulate new approaches to managing safety, wellbeing and return to work.

Of course, fundamentals like risk assessment, managing physical hazards, and complying with requirements under the law will be covered, and the psychosocial hazards, a new focus for our work health and safety laws, will be explored.

In addition, the presenters will also help you build a positive and respectful workplace culture where everyone is engaged and prioritises safety. You'll understand how human behaviours and decisions contribute to incidents happening, and contribute to their prevention. You'll learn what makes up a psychologically safe workplace, where people flourish and enjoy greater work satisfaction and, as a consequence, where businesses see greater safety outcomes and productivity.

This is where safety and safe workplaces are heading, and WorkSafe Month is leading the way in Tasmania to make this happen, today and into the future.

In-person events are being held in Hobart, Launceston and Devonport. You can find all the details in this magazine and on WorkSafe Tasmania's website at [worksafe.tas.gov.au/worksafemonth](https://worksafe.tas.gov.au/worksafemonth).

As I write this column, our Government is approving changes to two sets of legislation that will make a significant difference to the lives of Tasmanian workers and their families.

The National model laws were changed last year to implement a number of recommendations from the 2018 Review of the Model Work Health and Safety Laws (also known as the Boland Review).

One significant change is the introduction of gross negligence as a reason a person can be prosecuted for a Category 1 offence (alongside reckless conduct), which is the most serious breach of our laws. I am now progressing amendments to Tasmania's Work Health and Safety Act 2012 to implement this and other important changes, to ensure the health and safety of Tasmanian workers. More information is available about the status of the Boland Review recommendations on Safe Work Australia's website at [safeworkaustralia.gov.au](https://safeworkaustralia.gov.au) — just search for 'review of model work health and safety laws'.

Last year's review of the Asbestos-Related Diseases (Occupational Exposure) Compensation Act 2011 recommended changes to the principal Act. These changes will include covering the costs of counselling services for asbestos compensation claimants and their families, and reimbursing medical costs directly related to successful claims. These, and the other changes, will undoubtedly ease what is a stressful time for claimants and their families.

I look forward to progressing these and other reforms this year.

As always, please look after each other, stay safe and take care.

Workplace Issues is published by  
WorkSafe Tasmania.

Find current and past editions, information about telefraud, our disclaimer and more at [worksafe.tas.gov.au](https://worksafe.tas.gov.au).

Subscribe for free at  
[worksafe.tas.gov.au/subscriptions](https://worksafe.tas.gov.au/subscriptions)

Email your feedback to  
[wstinfo@justice.tas.gov.au](mailto:wstinfo@justice.tas.gov.au).

Throughout this magazine, 'WHS' stands for work health and safety and 'PCBU' stands for person conducting a business or undertaking.

ISSN 1444-6316 (Print)

ISSN 2204-5597 (Online)

Phone: 1300 366 322

Email: [wstinfo@justice.tas.gov.au](mailto:wstinfo@justice.tas.gov.au)







## ROBYN PEARCE

### Executive Director, WorkSafe Tasmania

Say 'WorkSafe Tasmania' and you probably think of our Inspectors and Advisors who educate and guide employers and workers to improve safety management, or who investigate incidents and ensure compliance with work health and safety laws. Or perhaps you've dealt with our officers who process your high risk work licence or fireworks permit.

But there is also important project and policy work being done 'behind the scenes' to lay the foundation for a safer future for Tasmanian workers and employers.

A critical partner in this work is the WorkCover Tasmania Board. The WorkCover Board works with WorkSafe Tasmania and stakeholders (including employers, workers, doctors and insurers) to ensure a fair and equitable workers compensation scheme, good return to work outcomes, and safer workplaces for all Tasmanian workers.

The WorkCover Board supports initiatives that you've probably taken part in. The Safe Bodies, Safe Minds Conference held in July, and the WorkSafe Awards and Month coming up in October are notably high-profile events, putting the spotlight on reducing

work-related injury, illness and death. Or perhaps you've interacted with our Advisory Service, or Worker Assist or the Tasmanian Chamber of Commerce's work health and safety advisors. And of course, you're reading this magazine! All these are funded by the WorkCover Board.

The shared starting point for the WorkCover Board and WorkSafe's partnership is our Strategic Plan for 2023-28. This plan was born from extensive consultation with representatives from unions, insurers, employer groups, and medical, legal and government sectors. The Strategic Plan states our shared vision, principles and goals. Our three guiding goals are safer and healthier workplaces, supporting workers with injury and illness, and building a collaborative health and safety culture.



The WorkCover Board is now investing in and collaborating with WorkSafe on projects that will improve safety, return to work and compensation outcomes and experiences for Tasmanian employers, workers, their families and communities for years to come.

In June, the WorkCover Board launched new post-traumatic stress disorder (PTSD) training for doctors and other health professionals. This will help doctors diagnose people with PTSD, and understand the treatment options available. The training is the result of working with Phoenix Australia (experts in trauma-related mental health and wellbeing) and the Royal Australian College of General Practitioners. This project is also overseeing online resources for workers experiencing PTSD, their family and employers, which will provide practical information to support recovery and return to work.

The personal, social and economic impacts of industrial death and

serious injury is devastating and wide-ranging, and for those affected, the consequences they experience are life-long. So another WorkCover Board project addresses Safe Work Australia's 'National principles to support families following an industrial death'. These ten principles include ensuring families receive timely and co-ordinated notification, information and support following a workplace fatality. The project will outline what is needed (from different government departments and within the workers compensation scheme) to improve the support given to seriously injured workers and families affected by an industrial death.

Another project is analysing the workers compensation systems in the Tasmanian State Service, looking for ways to overcome obstacles and improve processes and outcomes. The project team is working with the University of Tasmania, using interviews with workers with injuries to understand their experience in the workers compensation system. Amongst other things, this project will pinpoint the factors that could help improve return to work outcomes for workers with injuries; and identify options for reducing mental health injuries.

In our last magazine we flagged the legislative reform that is happening for silica safety, on a national and state level. The Board is ensuring relevant industries (such as construction, mining and quarrying) understand the risks of exposure to silica dust, can comply with the changed legislation, and ensure safe working conditions for workers. We are currently developing new guidance material and online resources to help reduce workers' exposure to silica dust — and therefore reduce the debilitating diseases and health conditions this exposure causes.

These projects represent a significant commitment from the WorkCover Board and WorkSafe Tasmania to drive long-term improvements in work health and safety, return to work and workers compensation. I'm optimistic that with this partnership, real and sustainable change will happen, not just in government systems and procedures, but in the lives of every Tasmanian worker and their families and communities.

# Sign up now for WorkSafe Month 2023

This October, WorkSafe Tasmania is offering even more ways for you to learn new WHS information and emerging issues, experience professional development opportunities, and engage with motivational speakers, professionals, business leaders and experts.

## WorkSafe Month

Exploring the theme 'Safe Bodies, Safe Minds', WorkSafe Month in October will include webinar presentations and facilitated in-person discussions. Explore the latest developments in safety, health, mental health, wellbeing, return to work and better work-life balance.

In-person events will be held in Hobart, Devonport and Launceston. Webinars offer you the flexibility to learn in your own time and space, at your own pace.





## Register now!

Don't leave it until the last minute to register to participate in any of our WorkSafe Month events in October. The in-person events in Devonport, Hobart and Launceston are sure to fill up fast, so act now to avoid missing out!

To see the full program and to register, go to WorkSafe Tasmania Month at [worksafe.tas.gov.au/worksafemonth](https://worksafe.tas.gov.au/worksafemonth).

## WorkSafe Awards winners announced in November

The 2023 WorkSafe Tasmania Awards will be announced at a presentation dinner at the Hotel Grand Chancellor in Hobart on Friday 3 November. We'll be detailing the finalists and winners on our website, social media, and of course here in the Summer edition of Workplace Issues — so watch this space!



# Consultation's role in preventing injuries

The best way to prevent injuries in your workplace is to involve your workers through every stage of identifying the hazards in your workplace, assessing their risks, and developing control measures.



## 1. Consult with your workers

Talk to the people who do the work for you and their health and safety representatives (HSRs). Your workers know what equipment, tools and tasks they use or perform on a daily basis. They may have suggestions about how to make sure these don't cause harm.

Consult with your workers as early as possible when you're planning to:

- introduce new work tasks or change existing ones
- choose new equipment or chemicals
- carry out work in new environments
- refurbish, renovate or redesign your existing workplace.

Consulting on these changes mean potential WHS issues can be identified and resolved before the change is implemented; that is, before you change a safe work procedure or buy different cleaning solvents for your workplace.

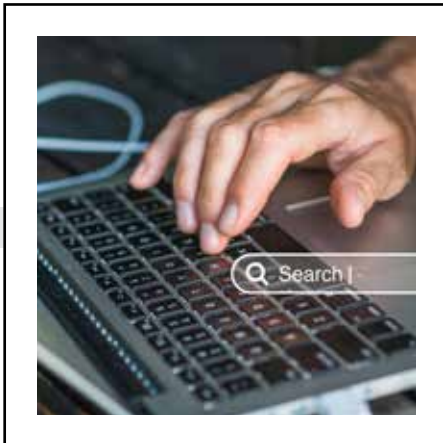
Encourage your workers to report any problems with any of the tasks they do or equipment or chemicals they use, so risks can be managed before they lead to an injury.



## 2. Consult with others

You might share responsibility for a WHS matter with others: for example, if you're involved with other businesses on a worksite, or working on the same activity. If so, you must:

- share information to find out 'who is doing what' about controlling the hazard
- work together in a co-operative and co-ordinated way to remove or reduce the risks to all your workers.



### 3. Get the code

For more detail and practical help with consultation in your workplace, read the Work Health and Safety Consultation, Co-operation and Co-ordination code of practice. It has examples of consultation arrangements and checklists that will help improve consultation and therefore safety in your workplace. Go to [worksafe.tas.gov.au](https://worksafe.tas.gov.au) and search for 'codes'.



**Consultation is actually a legal requirement and an essential part of managing WHS risks. Consultation means providing your workers with information and taking into account their views before making decisions affecting WHS.**

**A safe workplace is more easily achieved when everyone involved in the work communicates with each other to identify hazards and risks, talks about any WHS concerns, and works together to find solutions.**

**This includes co-operation between the people who manage or control the work and those who carry out the work or who are affected by the work.**

**By drawing on the knowledge and experience of your workers, you can make more informed decisions about how the work should be carried out safely.**









# BUILDING A POSITIVE WORKPLACE CULTURE

Running your own business can be very demanding but highly rewarding. Given the time pressures you face, it's easy to overlook the role workplace culture can play in its ongoing success.

The following information is adapted from R U OK?'s Mental Health Handbook for Small Business Owners, available at [ruok.org.au/work](http://ruok.org.au/work).

## **Define your company's core values**

Workers generally want more from their jobs than just money. Defining and clearly explaining your company's core values gives everyone a sense of purpose, laying the foundations for a positive organisational culture that will keep people going through the ups and downs.

Values shouldn't just be words written on the walls, so don't worry if you don't have a traditional workplace or style. Your values should be lived out in workers' (and your) everyday actions.

## **Offer recognition and rewards**

Salary aside, there are other ways to keep your workers motivated. Whether it's taking your team out for lunch or giving them the afternoon off after completing a big week of work, it can all boost worker wellbeing.

## **Foster their continuous learning and development**

Workers who feel valued will likely stick around for longer, contributing to a stronger workplace culture. Whether it's hosting learning sessions or subsidising short courses, skilled-up workers who've received training and development opportunities will also do their jobs more effectively.

For example, if you run a beauty salon, setting aside an annual training budget to help develop their cosmetology skills will help keep your workers motivated.

## **Look after their health and mental wellbeing**

We all face inevitable ups and downs in life, so being aware of this and having initiatives in place to help your workers deal with difficult times can make a huge difference to overall morale.

Allowing flexible work arrangements or having people come and talk to your workers (in your workplace or another setting) are simple ways to achieve balance.

For example, if you run a construction company, organise someone from OzHelp Tasmania ([ozhelptasmania.org.au](http://ozhelptasmania.org.au)) to talk to your tradies about mental wellbeing.

## **Build open and honest communication**

Being honest but tactful with your workers and encouraging an open door policy can foster a solid workplace culture. Be sure to also keep an eye out for workers who might be suffering difficulties.

## **Create an environment of collaboration and inclusivity**

Whether it's having a company WhatsApp group or hosting regular team meetings, getting staff talking to each other (especially when they don't see each other every day) is not only great for morale but often a source of great work information. Have company days throughout the year, where everyone can meet and chat.

## **Lead by example**

You have the real privilege as a business owner to lead your workers by example, which can often be the best way to bring the positive, productive workplace culture you dream of to life!

**This year, September 14 is R U OK? Day, dedicated to reminding us that every day is the day to ask 'Are you OK?'. At [ruok.org.au](http://ruok.org.au), you'll find practical resources to help you feel confident knowing the signs that someone might need support.**

# Managing noise and preventing hearing loss

## How does hearing loss occur?

Hazardous noise affects the functioning of your inner ear, and can cause temporary hearing loss. After time away from noise, your hearing may be restored; however, with further exposure to hazardous noise, your ear will gradually be unable to recover, and hearing loss will become permanent. Permanent hearing loss can also occur suddenly if you're exposed to loud impact or explosive sounds.

The degree of hearing loss that occurs depends on:

- how loud the noise is
- how long you are exposed to it
- the pitch of the noise (high-pitched sounds are more damaging).

## Effects on health and safety

Hazardous noise first affects your ability to hear high-frequency (high-pitched) sounds. So even though you can still hear some sounds, conversation will start to sound 'muffled' and difficult to understand.

Difficulties occur especially when there are competing background noises. This could be hazardous if you can't hear safety warnings or instructions above any other noise.

You may develop tinnitus, commonly experienced as a ringing, buzzing or roaring sound within your ears, which could become permanent. When severe, tinnitus can disrupt sleep, reduce concentration, make people extremely irritable and lead to depression.

Noise at levels that don't damage hearing can have other adverse health effects. Persistent noise stress can increase the risk of fatigue and cardiovascular disorders such as high blood pressure and heart disease.



## Managing noise in your workplace

A risk assessment is not mandatory for hazardous noise under the WHS Regulations. However it's often the best way to determine:

- the workers at risk of exposure
- activities or equipment causing that risk
- if and what kind of control measures should be implemented
- the effectiveness of existing control measures.

The code of practice Managing Noise and Preventing Hearing Loss provides practical guidance on managing the WHS risks associated with noise. It explains exposure and decibel levels of common equipment and machinery; and noise assessment reports and potential practical control measures for your workplace. Find the code at [worksafe.tas.gov.au](http://worksafe.tas.gov.au) by searching for 'noise'.

## Getting tested

The code of practice also details the requirements around audiometric testing. Employers must provide audiometric testing for any worker who is required to frequently use personal hearing protectors as a control measure for noise that exceeds the exposure standard.

Audiometric testing must be provided within three months of the worker starting work where hearing protection is required. Starting the audiometric testing before they are exposed to hazardous noise (such as new starters or those changing jobs) provides a baseline as a reference for future audiometric test results. Regular follow-up tests must be carried out at least every two years.



# MOBILE PHONES AND WHS

Mobile phones are an undeniable part of lives and important communication tools – but they can also be a distraction, introducing safety risks in workplaces. So how do phones fit with WHS?

## Phones as hazards

Employers have a duty of care to provide a work environment that is safe and without risks to the health of their workers and others.

Workers have a duty to take reasonable care for their own health and safety and that of others who may be affected by their actions or omissions.

So think about phones and their use as you would other equipment in your workplace: consider what risk they present to health and safety, and how you will manage them.

It's reasonable for you to conduct a risk assessment and think of the specifics of your workplace and the work being done. Consult with your workers and ask how using a phone could pose a risk to WHS.

## Driving and operating vehicles

It's illegal to use phones while you're driving on public roads. Using a phone and being distracted can affect your awareness of your surroundings, which could increase the risk of hitting a pedestrian or another vehicle, dropping loads, or having the vehicle move unintentionally.

Some companies apply this to workplace settings; others ban hands-free phoning while driving, because the distraction level can still be high. Another option is 'engine on, phone off'.

These could apply to vehicles that never see a public road, such as forklifts or earthmoving equipment.

## Other equipment

You may be aware of in-flight warnings about mobile phones and warning signs at service stations. This is because the radiofrequency or electromagnetic energy of a phone could interfere with electrical equipment or cause flammable materials to ignite.

Other places where phones can cause problems include hospitals, fuelling areas, blasting operations, flammable goods stores, laboratories, and bulk materials handling areas.

## Why have a policy and procedure

Once you've done your risk assessment and consulted with your workers, draw up a policy for mobile phones. It should cover:

- what you mean by 'usage': calls, texts, emails, internet use; work, personal
- if you allow people to carry their phones, or you expect them to be surrendered or stored in a locker
- if phones are limited to designated areas or for emergency use only
- any restrictions when driving, operating machinery and performing other tasks.

Train everyone in your policy, and make sure everyone understands their responsibilities and what will happen if they don't comply.

Check your safe work procedures, too: for example, you may need to state that mobile phones must not be used/ be nearby when driving or refuelling.

Your risk assessment may even identify alternatives to mobile phones. These might be landline phones and/or two-way radios.



# Why managing fatigue is important

Workers being fatigued can lead to workplace incidents and injuries — and sadly even death. When someone is so exhausted, physically and/or mentally, that they can't concentrate, their reaction times are slowed, hand/eye movements are impaired, or they can't make sound decisions and recognise risk, then it's highly likely something dangerous will happen.

## What is fatigue?

Fatigue is the mental or physical exhaustion that stops a person from being able to function normally. It's more than simply feeling tired or drowsy: it can significantly affect someone's capacity to function and do their job, and do it safely. Fatigue doesn't just decrease performance: it increases the potential for workplace incidents to occur, where people are injured or equipment is damaged.

## How does work contribute to fatigue?

Work causes of fatigue include unrealistic rosters, long shifts, or shifts without sufficient recovery time between them. Other factors are harsh environmental conditions and exposure to heat, cold, vibration, noise, and prolonged or intense mental or physical activity.

Workers most at risk of fatigue include shift workers or night workers, workers on-call, and fly-in fly-out workers. At-risk industries include medical/health care settings, manufacturing/processing, mining and transport.

## How can workplaces address fatigue?

Fatigue should be addressed like any other workplace hazard. Start with a risk assessment to identify potential causes, such as work scheduling, excessive travelling, and high job demands. Talk to your workers about the impact of their workloads and works schedules. Look at your incident data to see if fatigue was (or could have been) a contributing factor.

Control measures around work scheduling, for example, include:

- allowing sufficient time between work days/shifts to allow for recovery, sleep, travelling, eating and other activities
- avoiding work arrangements that provide incentives to work excessive hours
- developing procedures to manage/limit excessive working hours, for example requiring minimum breaks on a regular basis, especially during long shifts
- ensuring workers have and take adequate and regular breaks to rest, eat and hydrate.

### Resources

Safe Work Australia's practical Guide for Managing the Risk of Fatigue at Work covers these and more. It includes a fatigue checklist, case studies, and resources for specific industries and occupations. Go to [safeworkaustralia.gov.au](https://safeworkaustralia.gov.au) and search for 'fatigue management'; the search results will also include Fatigue Management: A Worker's Guide.





# GET INTO A SAFE ROUTINE

It's the routines in a workplace that can make all the difference to safety: regular inspections and hazard checks around your site, scheduled maintenance for machinery and equipment, and habitual tidying and cleaning, or 'housekeeping'. Build these into your daily, weekly, monthly and yearly planning for a safer workplace.

If you think having a clean and tidy workshop is a waste of time or a bit 'much', remember that it's an essential but sometimes overlooked aspect of safety.

It's also the law: it falls under an employer's requirement to provide a safe working environment, safe systems of work, and plant and substances in a safe condition.

Benefits of good housekeeping include:

- reducing the risk of slips, trips and falls
- reducing the risk of fire
- increasing efficiency (less time is wasted trying to find tools or materials that aren't in their proper place)
- increasing the quality of work as the level of professionalism increases.

So regular inspections, maintenance and housekeeping are important ways to spot hazards and prevent incidents happening. The good news is they are easy to build into your schedule.

You can find a comprehensive checklist to help you in the code of practice Managing the Work Environment

and Facilities. Go to [worksafe.tas.gov.au](https://worksafe.tas.gov.au) and search for 'codes'.

**Use this checklist as you walk around your workplace to ask:**



Are floor surfaces clean?



Are work areas well lit?



Are power points, switches and other fixtures free from defects?



Are machine guards in place on all operating equipment?



Are walkways and doorways clear of obstructions or litter?

You could use this (or other checklists, such as pre-start checklists) at regular intervals — daily, weekly, monthly — to help identify hazards you might not see or may be complacent to. Build them into the pre-start checks before using equipment, your job safety analyses (JSAs), or your safe work procedures.

You could even adapt checklists to suit your specific workplace requirements. Remember that checklists for plant and equipment must be developed by referring to any manufacturer's manuals/recommendations.



# WHO'S RESPONSIBLE FOR PPE?

## When to do a risk assessment

Personal protective equipment (PPE) includes hard hats, gloves, gowns, goggles, respirators, and ear muffs. PPE is a common sight at many workplaces, but it is one of the least effective ways of controlling WHS risks and should only be used:

- when there are no other practical control measures available (as a last resort)
- as an interim measure until a more effective way of controlling the risk can be used, or
- to supplement higher level control measures (as a back-up).

## Employers

If you're an employer, you are responsible for:

- supplying workers with suitable PPE of a size and fit that is reasonably comfortable

- providing workers with information and training (if necessary) in the proper use, wearing, storage and maintenance of the PPE
- ensuring PPE is maintained to a clean and hygienic standard
- ensuring PPE is maintained in good working order, or repaired or replaced as necessary
- ensuring PPE is used or worn by workers, so far as is reasonably practicable.

The PPE used at your workplace must be:

- selected to minimise risk to health and safety
- suitable for the nature of the work and any hazard associated with the work
- a suitable size and fit and reasonably comfortable for the person wearing it.

To select PPE, you must consult with your workers and their health and safety representatives, and:

- evaluate the risk and performance requirements for the PPE
- ensure PPE items are compatible when more than one type of PPE is required (for example, ear muffs with a hard hat)
- consult with the supplier to ensure PPE is suitable for the work and workplace conditions
- select PPE that complies with the relevant Australian Standard or equivalent standard.

## Workers

If you're a worker who is provided with PPE by your employer, you must:

- use/wear the PPE in accordance with any information, training or reasonable instruction provided by your employer, so far as you are reasonably able
- not intentionally misuse or damage the PPE
- advise your employer of any damage to, defect in, or need to clean or decontaminate any of the PPE that they are aware of.

If the PPE is uncomfortable or doesn't fit properly, or if you have legitimate concerns about safety or comfort associated with wearing PPE, talk to your employer or health and safety representative.

## Others

People such as visitors or suppliers coming to your workplace should also be provided with PPE to protect them from health and safety risks while at your workplace. Make sure you instruct them in its proper use and how to wear it.







# NEW RESOURCES: WORKERS COMPENSATION

Safe Work Australia has developed new online resources — including fact sheets, case studies and posters — to help employers, supervisors and workers reduce the stigma around workers compensation..

Stigma occurs when there is discrimination against or stereotyping of a worker seeking workers compensation. It can prevent workers who are ill or injured from making a claim, or can impact their recovery.

The new resources provide practical information about workers compensation and what employers, supervisors and workers can do to create a supportive work environment that reduces stigma. By understanding what workers compensation stigma is, where it can occur, and how to identify it, we can take action to reduce it.

Safe Work Australia has also published a set of national principles for communicating workers compensation information to workers.

The principles are aimed at anyone involved in preparing communication about workers compensation, for example communication professionals, employers, healthcare professionals and workers compensation authorities. They outline a set of considerations for effectively communicating with workers about workers compensation.

Supporting workers who are ill or injured to get back to work safely benefits everyone – the worker, their team, and the broader organisation. To download the resources on workers compensation stigma, go to [swa.gov.au/workerscompensationstigma](https://swa.gov.au/workerscompensationstigma). For the national principles resources, go to [swa.gov.au](https://swa.gov.au) and search for 'national principles'.

# WORKERS COMP: Q&A

**I'm about to employ my first worker.  
What do I do about workers comp?**

You must have an insurance policy with a licensed insurer to cover you for any workers compensation claims made by your workers. It's an offence (you can be fined) for not having this policy.

So before employing a worker, get quotes and arrange a policy from an insurer who is licensed in Tasmania by the WorkCover Tasmania Board. To find the list go to [worksafe.tas.gov.au](http://worksafe.tas.gov.au) and search for 'licensed insurers'.

**When do I give my injured worker a  
'right to make a claim' notice? Is it  
different to a claim form?**

You must provide a Notice of Right to make a Workers Compensation Claim form to your worker within 14 days of them telling you they've been injured at work. This is regardless of whether or not they have sought medical treatment for their injury. You can find this form at [worksafe.tas.gov.au](http://worksafe.tas.gov.au) by searching for 'GF172'.

After providing this form, it's up to the worker to decide whether or not they wish to lodge a workers compensation claim. If they choose to

do so, you need to provide them with a Workers Compensation Claim Form, which you can get from your insurer.

**Do I have to pay workers comp claims if  
I disagree with it?**

Yes. Weekly payments are to be paid regardless of whether you dispute liability for the claim. They are sometimes called without prejudice payments, because the fact you make these payments cannot be used against you as an admission of liability.

Once you receive a worker's claim for compensation, you must start making weekly payments of compensation if they have been certified as totally or partially incapacitated for work.

You must also pay for reasonable medical and associated expenses while you are deciding whether or not to accept liability. These payments are initially limited to a maximum of \$5,000 until the claim is accepted or a dispute is heard and resolved.

If you believe liability should be disputed, discuss it with your insurer.





For full guidance on the workers compensation process, go to [worksafe.tas.gov.au](https://worksafe.tas.gov.au) and look under the Compensation section, or search for 'GB010' to find our Workers Compensation Handbook: The Basics.



## I've been injured at work but don't know what to do.

Go to your doctor or hospital's emergency department and get your injury treated. Get a workers compensation medical certificate from the treating doctor.

Advise your employer of your injury. They may require you to complete an incident report.

Decide whether you complete a workers compensation claim:

- if you decide not to complete a claim, you'll be treating your injury as a personal injury and you'll be responsible for paying associated costs (doctor's fees, X-rays or scans, medication and so on). Payment for time lost from work will usually be paid as sick or other leave
- if you do lodge a workers compensation claim, the cost of all reasonable expenses should be paid for you by your employer.
- For any time lost from work, you should receive compensation payments equal to your normal weekly earnings or ordinary time rate of pay. You'll need to get a Worker's Claim for Compensation form from your employer. Complete the Injured Worker's Details section and return it to your employer, together with the workers compensation medical certificate as soon as possible to avoid delays.

Compensation payments (if you are off work) usually start within 14 days of returning the forms to your employer.

You'll receive correspondence from the insurer advising it has received your claim.



## Can my employment be terminated while I'm on workers comp?

Under the Workers Rehabilitation and Compensation Act 1988, your employer has to hold your position open for 12 months — unless the reason for employing you no longer exists, or it's not reasonably practicable to make your job available to you.

Terminating your employment for any reason may not affect your right to continue to receive compensation and rehabilitation.

Any employer considering ending an injured worker's employment contract should discuss the matter with their insurer. Termination must also be done in accordance with the industrial relations and anti-discrimination laws that apply.

# SUGGESTED WORKERS COMP INSURANCE RATES FOR THE COMING YEAR



Each year, the WorkCover Tasmania Board publishes a set of suggested premium rates for workers compensation for each industry. If you're an employer, you might refer to the suggested rates when you consider quotes for workers compensation from insurance companies. Licenced insurers may use the suggested rates as a guide to setting their premiums for the following year.

The average suggested premium rate across all industries for 2022–23 is 2.03% of wages, which is a decrease of 0.8% of wages from 2.11% in 2021–22. At an industry level, the suggested rates vary from 0.40% to 9.48% of wages.

To find out the suggested rate for your industry, ask your insurer or broker for the ANZSIC code your business falls under then go to the WorkSafe Tasmania website at [worksafe.tas.gov.au](https://worksafe.tas.gov.au) and search for 'suggested industry premium rates'.

It's important to note that the suggested rates are a guide only. The actual rates charged by insurance companies to individual employers may differ from the suggested rates, with each insurance company taking into account the industry and employer's risk factors, past claims and WHS circumstances. However, if the actual premium you're charged for your workers compensation cover differs

significantly from the suggested rate, or if you have any concerns about what you are being charged, contact your insurance company or broker.







# HEALTH CARE AND SOCIAL ASSISTANCE

## INDUSTRY SNAPSHOT 2021

### ► The workforce

This industry covers a wide range of activities, separated into eight groups. The three largest employing groups are:

1. Hospitals
2. Other Social Assistance Services
3. Residential Care Services



### ► The injuries

**1,734** injuries across the industry in 2021

**16.7** serious injuries per million hours worked  59% higher than the state average—the highest of all industries

**13%** higher serious injury frequency rate in 2021 than ten years ago 

### ► The people

**2 in 5**

serious injuries occurred in Residential Care Services



Occupations with the highest percentage of serious injuries

**33%**

**Personal Carers and Assistants**

**15%**

**Health and Welfare Support Workers**



### ► The causes

**1** Body stressing

**2** Mental stress

**3** Falls, slips and trips

### ► Action areas

Priority conditions and causes identified in the WorkSafe Strategic Plan 2018–2023 relevant to the industry:



MUSCULO-SKELETAL DISORDERS



HAZARDOUS MANUAL TASKS



SLIPS, TRIPS AND FALLS



MENTAL HEALTH CONDITIONS

# FOUR THINGS TO DO NOW THAT YOU'VE READ WORKPLACE ISSUES!

1

## REGISTER NOW FOR WORKSAFE MONTH!

This October, we have exciting events covering physical and mental safety and wellbeing, return to work and better work-life balance. See all events and register to attend at [worksafe.tas.gov.au/worksafemonth](https://worksafe.tas.gov.au/worksafemonth).

---

2

## DEFINE YOUR CORE VALUES

And use them to create a positive workplace culture (which creates a safe and successful workplace!). See page 9 to get started.

---

3

## CREATE A SAFETY POLICY FOR MOBILE PHONES

Mobile phones are everywhere: but should they be? Reduce the safety risks associated with mobile phones with our guidance on page 11.

---

4

## REDUCE THE STIGMA AROUND WORKERS COMPENSATION

Discriminating against workers seeking workers compensation can affect their recovery. Support your workers with new resources on page 15.

---