

Sept 2014

# Workplace issues



Key stories inside

Register now to attend  
WorkSafe Month 2014

**WorkSafe**  
TASMANIA

# Contents

## COVER STORY



Scenes from last year's WorkSafe Month.  
Turn to page 4 to find out how you can be part  
of this year's events.

## NEWS + EVENTS



Look what's on this WorkSafe Month .....	4
Where does the Poppy Board fit? .....	5
Taking safety to regional sports.....	8
Watch national online safety seminars this October .....	8
WW-Where?.....	9
Update: High risk work licences .....	10
Review of WHS laws .....	11
WorkSafe Awards presentation dinner.....	16

## SAFETY



Don't dig until you read this .....	6
Better Work Tas: The journey has started .....	7
Trained – but not licensed.....	9

## RETURN TO WORK

Work injuries cost \$60.6 billion a year .....	10
--	----

## REGULARS



From the minister .....	3
Hazard watch: Workers burned by boiling water.....	9
Prosecutions .....	12
Everybody's talking .....	14
From the Director .....	15

## Publisher

Published quarterly by  
WorkSafe Tasmania.

For current and past editions  
of Workplace Issues, go to  
[www.workcover.tas.gov.au](http://www.workcover.tas.gov.au) and  
search for 'Workplace Issues'.

## Subscription enquiries

Online go to  
[www.workcover.tas.gov.au](http://www.workcover.tas.gov.au) and  
search for 'workplace issues  
subscribe'

Phone:  
1300 366 322

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

## Disclaimer

WorkSafe Tasmania and  
the Crown in the right of  
the State of Tasmania, its  
employees and agents disclaim  
liability for the accuracy or  
comprehensiveness of the  
information, data and advice  
provided in Workplace Issues;  
and will not be responsible  
for any loss, however arising  
and whether or not due to  
negligence, arising from  
reliance on, or action taken on  
the basis of any information,  
data or advice provided in  
Workplace Issues.

Any information, data and  
advice is provided solely on  
the basis that readers will  
be responsible for making  
their own assessment and  
verification of such information,  
data and advice before any  
reliance is placed upon it.

Views expressed in Workplace  
Issues are those of the  
individual contributors or  
the editorial committee and  
are intended to stimulate  
discussion. They do not  
necessarily reflect the policy of  
the Government or WorkSafe  
Tasmania.

## ISSN 1444-6316

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



# WorkSafe Tasmania month



**Getting access to up to date, expert advice on managing your workplace safety, wellbeing and return to work needs is vitally important to make sure you and your workers are safe, and that you are complying with relevant laws.**

That's why I encourage you to attend one (or more) of the free seminars on offer in this year's WorkSafe Tasmania Month, which runs from 29 September to 31 October.

The scope of topics and presenters is diverse. An exciting development this year are the presentations by companies such as TT-Line, Country Club Tasmania, RACT and Caterpillar Underground Mining, who are sharing their experiences of improving and managing safety, mental health, and return to work in their operations. It's a rare opportunity to get insider knowledge from some of Tasmania's business leaders.

So whether you are a small business or large, a worker or employer, new to safety or keen to learn how to refine what you are already doing, I encourage you to read the Program of Events included with this magazine — and register now for WorkSafe Month.

I'm looking forward to the finale of WorkSafe Month, and attending the presentation dinner for the 2014 WorkSafe Tasmania Awards.

These Awards acknowledge the individuals and organisations who are making Tasmania's workplaces safer and healthier. The Awards put the spotlight on their initiative, teamwork and commitment to safety, wellbeing and return to work. This year has another strong field of entrants, and I'm looking forward to celebrating the wonderful work that has been done over the last 12 months, with lasting results into the future.

Together the Government, employers and employees need to make the most of these shared opportunities to ensure a productive economy and make Tasmanians even safer at work.



Australian Work Health & Safety Strategy 2012-2022

**VIRTUAL SEMINAR SERIES**

**Oct 2014**



**You Tube** **facebook**

 **safe work australia**

To find out more visit  
[www.swa.gov.au](http://www.swa.gov.au)  
[#virtualWHS](https://twitter.com/virtualWHS)

# Look what's on this WorkSafe month



Scenes from last year's WorkSafe Month

## What's on?

**This year you'll be spoilt for choice, and with around 170 free seminars covering safety, wellbeing and return to work, we're confident you'll find something to improve your safety, return to work or wellbeing performance.**

Our seminars this year are specific to industry needs and legislative requirements, and reflect the current trends and thinking in safety and wellbeing.

So whether you're a small or large business, whether you want to be safe while working a heights, write an anti-discrimination policy, review your safety management system, promote better work-life balance — register now for WorkSafe Month.

## Where do I find the Program?

You'll find a copy of the program inserted in this edition of Workplace Issues magazine. Don't just keep it to yourself — share it around your workplace!

You can also call our Helpline on 1300 366 322 for more copies, or go to our website at [www.worksafe.tas.gov.au](http://www.worksafe.tas.gov.au) to find an online copy and further information to email around.

## What else is on offer?

Wrest Point Hobart, Country Club Tasmania, Burnie Arts and Function Centre or Devonport Entertainment and Convention Centre for the chance to win an accommodation package at Country Club Tasmania:

- one night's accommodation in a Manor suite
- breakfast for two in Links Restaurant
- meal voucher for Terrace Restaurant.

We also provide you with a certificate of attendance for each seminar you attend; and building practitioners can earn CPD points during WorkSafe Month.

## How do I attend?

The quickest and easiest way to register or get further information is to go to the WorkSafe Tasmania website at [www.worksafe.tas.gov.au](http://www.worksafe.tas.gov.au) and check individual sessions for details.

We look forward to seeing you around the state.

## When is it?

- Launceston: 29 Sept–3 Oct and 6–10 Oct
- Burnie: 13–17 Oct
- Devonport: 13–17 Oct
- Hobart 20–24 Oct and 27–31 Oct



# Where does the Poppy Board fit?

## What is the Poppy Board?

The Poppy Advisory and Control Board is responsible for regulating the poppy industry in Tasmania. It was established in the early 1970s to fulfil Australia's commitment to the United Nations Single Convention on Narcotic Drugs 1961, which requires stringent control and supervision of poppy growing and production.

## The Poppy Board's role

The Poppy Board's role in the regulation of the poppy industry is clearly defined:

- to process applications for licences and advise the Minister for Health on those applications
- to advise on all matters relating to the cultivation, production and transport of poppies and poppy material

- to collect and collate statistical information and prepare reports
- to liaise with Australian government departments to fulfil Australia's obligations under international drug conventions
- to oversee security matters for Tasmanian crops.

Because of the narcotic content of poppy plants, strict controls are maintained over all aspects of growing through to processing. The Poppy Board is responsible for coordinating security and control of the industry. The Minister of the Poisons Act 1971 (or its delegate) remains responsible for formal decisions under that Act about issuing licences and conditions.

## WorkSafe's role

WorkSafe Tasmania's role is to provide day-to-day regulatory oversight of the Tasmanian poppy industry.

Aligning the regulation of the poppy industry with WorkSafe's other regulatory functions (which include occupational and other licensing and permits) will ensure greater operational efficiency, improved use of resources, and great abilities to share ideas

Regulatory activities of the Poppy Regulation Unit within WorkSafe includes processing applications for licences to grow *Papaver Sonniferum*, inspecting crops, enforcing licence conditions and monitoring for unlicensed regrowth.





# Don't dig until you read this



***DIAL BEFORE  
YOU DIG***  
***www.1100.com.au***

**Are you doing work at your business (or your home) involving digging below ground — and possibly near underground pipe and cable networks? If so, take the proper precautions to make sure you don't suffer the personal injury or financial loss that can happen if you come into contact with buried natural gas infrastructure.**

As our cities and towns grow, more network assets are being laid under nature strips, driveways and within property boundaries. Some underground networks (like optic fibre) are extremely expensive to repair; others (like gas mains) can pose serious safety risks if struck.

## **Dial Before You Dig**

Dial Before You Dig's free, easy-to-use service — call 1100 or go to [1100.com.au](http://1100.com.au) — is for anyone involved in digging works. It's the essential first step before digging.

You'll be provided with plans of existing pipe and cable locations. Make sure you (or whoever is doing the digging work) study this information before work begins, and adhere to it during excavation activities.

## **What do you do next?**

You must understand that the plans you receive from gas utilities only indicate the presence of buried gas infrastructure in the area, and cannot be used to determine exact locations.

You must verify the actual location of infrastructure by contacting the infrastructure owner and potholing (hand digging to expose pipe).

Please read the conditions of work supplied by the gas infrastructure operator; and be aware of any restrictions that may apply, including approximate distances, protection and support of exposed infrastructure.

In most instances, buried infrastructure does not run in a straight line and is not buried to a uniform depth. Therefore it is imperative you know exactly where gas infrastructure is across your entire worksite before breaking the ground with machinery.

## **What else must you do?**

Other things you must do:

- make sure you understand the plans. If you're not sure, contact the gas infrastructure operator
- make sure plans are on the worksite to refer to during the excavations
- make sure plans are current.

## **When it goes wrong**

- There were more than 2,600 recorded incidents of damage to underground networks in Tasmania over the three years to December 2013.
- More than 35% of these were caused by people doing trades and low-impact excavation activities.
- Repair costs alone were over \$2 million; associated losses in productivity would be substantially higher.

Doing excavation work? You may also want to read the Excavation Work code of practice for controlling the risks associated with this work. Go to the WorkSafe Tasmania website at [www.worksafe.tas.gov.au](http://www.worksafe.tas.gov.au) and search for 'CP107'.

# Better Work Tas: The journey has started

**Roll up everybody, because Better Work Tasmania is coming your way soon. It's easy and free to get on board with this new approach to safety. Just go to [www.worksafe.tas.gov.au/betterwork](http://www.worksafe.tas.gov.au/betterwork) and become a member!**

## The new website

One of Better Work Tasmania's main beliefs is 'save time and money by learning from others'. Once you're a member, you'll have access to valuable resources to help you with WHS, including:

- a WHS and wellbeing specific search engine, so you don't need to trawl through lots of irrelevant information
- case studies and solutions, highlighting what local and other businesses have done to solve their WHS problems

- the 'virtual ideas room', where you can discuss your WHS problem with others and get a sense of what might be possible
- the training calendar, where workplaces will be able to list training opportunities they're happy to share with others in their region
- stories about the journeys others, including our champions and leaders, have taken with Better Work Tasmania and the benefits they've reaped so far.

We also encourage you to join a network relevant to your business sector. Meet other businesses at regular get togethers — they might know the solution to the problem you've been wanting to sort out for years.

Finally, there's a mentoring program, which will benefit those who want to take a closer look at how other businesses manage WHS issues.

## In WorkSafe Month

Better Work Tasmania is launching the website and kicking off the networking and mentoring programs during WorkSafe Month:

- Launceston Country Club Tasmania, Ballroom. Tues 7 Oct, 1.30–3.30pm
- Devonport Entertainment and Convention Centre, Centenary Court. Tues 14 Oct, 12.30–2.30pm
- Burnie Arts and Function Centre, Braddon Hall. Wed 15 Oct, 12.30–2.30pm
- Hobart Wrest Point, Derwent Room. Mon 20 Oct, 1–3pm

These seminars will also be a great opportunity to mix with others from your business sector and discuss the issues your businesses face. To register to attend a seminar, go to [www.worksafe.tas.gov.au](http://www.worksafe.tas.gov.au) and choose the WorkSafe Month button on the home page.



# Taking safety to regional sports

**As part of its ongoing partnership with rural and community-level football and netball, WorkSafe Tasmania supported the Indigenous Round game between Rocherlea and Deloraine football clubs.**

'Our work with WorkSafe Tasmania is a perfect partnership,' said AFL Tasmania Chief Executive Scott Wade, talking after the game.

'It's a great forum for AFL Tasmania to engage with regional clubs and their communities. A lot of the audience at grassroots games like these include local small business owners and workers, so the games are the ideal opportunity for WorkSafe to get its valuable messages about safety out, too.'

As well as a fantastic game between the two northern sides, there was a pre-match luncheon featuring former St Kilda champion Gilbert McAdam. Guests celebrating the Indigenous Round (the match was held during Naidoc Week) included Aboriginal elders and state politicians.



Rocherlea and Deloraine on the field

WorkSafe staff provided safety resources to those attending the game, answered questions about being safe at work, and discussed the importance of WHS throughout the day and at a presentation at the pre-game luncheon. The WorkSafe message — also in the form of banners and flags — was seen by around 2,000 spectators. The Rocherlea Football Club even painted the WorkSafe Tasmania logo on the playing field!

Supporting community-level competition gives WorkSafe the opportunity to engage directly with players, club members, their family and friends, local businesses and communities. The aim is to raise their awareness of the importance of WHS, and increase their knowledge of better WHS practices.

## Watch national online safety seminars this October

**The Australian WHS Strategy Virtual Seminar Series is a free online event running throughout this October.**

The Virtual Seminar Series showcases some of the latest WHS thinking, developments, innovations and research. You can catch live interactive panels and video presentations by WHS regulators, experts, business leaders and academics. The themes for the Virtual Seminar Series are:

- leadership and culture
- responsive and effective regulation

- agriculture and road freight transport industries
- small business.

If you miss the events live, don't worry; they'll be online for the entire month of October.

For information on this free online event (including the program and speakers):

- register at Safe Work Australia's website at [www.swa.gov.au](http://www.swa.gov.au) and/or
- download the Safe Work Australia Safety Month smart phone app from the Apple App store or through Google Play by searching for 'Safe Work Australia Safety Month'.





# Hazard watch: Workers burned by boiling water

**This new column focusses on recent incidents that WorkSafe inspectors are investigating. Learn how you can manage these hazards in your workplace and prevent a similar incident happening to you and your workers.**

WorkSafe Tasmania inspectors have investigated a recent incident at a drinks manufacturer. Three workers had opened an inspection door on the bottom of a tank to clean it, thinking the tank was empty, and were burnt by 80 degree water that remained in the tank. They were taken to hospital.

Could this happen where your workers are working?

## What you can do

- Develop clear work procedures that detail the safe way to perform the task.
- Make sure that the systems developed include processes to check that the tank is emptied before the inspection hatches are opened.
- Make sure the safety latches on inspection doors are in place when breaking the seal to prevent the door from fully opening.
- Inspect levels indicators to ensure tanks are empty before opening inspection hatches.
- Isolate electrical and mechanical process to remove all energy sources.

- Train your workers in your procedures and provide regular refresher training.
- Provide effective supervision to monitor that workers are following these procedures.
- Ensure that if PPE is required, it is appropriate for the hazard and is always worn.

*WorkSafe Tasmania cannot comment on the details of these incidents.*

## Relevant resources

The Code of Practice Managing the Risks of Plant in the Workplace contains excellent guidance on these issues — particularly in section 3. The code can be found on the WorkSafe Tasmania website at [www.worksafe.tas.gov.au](http://www.worksafe.tas.gov.au) by searching for 'CP123'.

## SAFETY

# Trained — but not licensed

**WorkSafe Tasmania inspectors on a construction site recently met a worker from Victoria who was operating a boom-type elevated work platform of over 11 metres.**

The inspectors discovered that the construction site manager had organised training for the worker for this high risk work, and had the paperwork to prove it — a yellow card. The training was conducted by an interstate training company.

However, the inspectors also discovered that this was really only 'awareness' training — while useful and informative, it did not qualify the worker with a high risk work licence to operate this plant.

This is not an isolated incident: WorkSafe Inspectors have found other workplaces that have mistaken awareness training for the real deal.

## How to avoid this

How do you make sure the training properly qualifies your workers — that they'll have a high risk work licence at the end of it?

Go to the WorkSafe Tasmania website at [www.worksafe.tas.gov.au](http://www.worksafe.tas.gov.au) and search for 'RTO'. You will find a list of Tasmanian and interstate registered training organisations with the class codes for the high risk work they offer licence training in.

Using this list will ensure you haven't spent time and money on 'awareness' training, and your workers will have the proper 'ticket' to do the high risk work you require.

## WW—Where?

**You may have noticed we've lost some of our websites...**

As part of our merger to become WorkSafe Tasmania, we've also merged our online presence.

The information on the Workplace Standards and Asbestos Compensation Scheme websites was placed onto the existing WorkSafe Tasmania website at [www.worksafe.tas.gov.au](http://www.worksafe.tas.gov.au)

These websites were then closed down — but don't worry, if you had them bookmarked, you'll be redirected to the WorkSafe Tasmania site.

The Advisory Service pages from the WorkCover website were also brought over to their new logical home.

So now all you need to know about safety and wellbeing — such as dangerous goods transport requirements, high risk work licensing, industry-specific safety guidance, wellbeing resources and more — is available at

**[www.worksafe.tas.gov.au](http://www.worksafe.tas.gov.au)**

# Work injuries cost \$60.6 billion a year

**Work-related injuries cost the Australian economy around \$60.6 billion each year. However, this cost could be lessened — and injured workers' health outcomes improved — if workers received early intervention after sustaining a work-related injury.**

However, workplaces are not acting soon enough. 'Traditionally a lot of organisations are more reactive than proactive, and wait until a formal claim or complaint is made before acting,' said Dr Peter Cotton, a clinical and organisational psychologist and speaker at WorkSafe Tasmania's recent Good Health Good Business conference, held in Hobart.

'There is enormous scope for this to change. If more Australian companies were on the front foot, it would make a huge impact. There are some great Australian success stories, but we need a lot more.'

Workplace rehabilitation provider Konekt, which sponsored the Good Health Good Business wellbeing conference in Hobart, looked at more than 95,000 compensable and non-compensable cases over the past five years.

It found that the earlier an injured worker is referred to treatment and rehabilitation, the greater their likelihood of a successful return to work.

'The less time people spend in the compensation system, the better their health and return to work results,' said Matt May, Head of Product at Konekt.

But despite the benefits of early intervention, over the past year there has been an increase in the average time from injury to referral for support and return to work services of 90 weeks.

'This is really alarming,' said Matt. 'Compare workplace injury to sporting injuries — if a professional sportsperson is injured, the help they receive is immediate. So why can't it be the same for workers?'

'It has been proven that for most (people), working improves general health and wellbeing and reduces psychological distress. Even health problems that are frequently attributed to work — such as musculoskeletal and mental health conditions — have been shown to benefit from activity-based rehabilitation and an early return to suitable work.'

'There is enormous scope for this to change,' Peter agreed. If more Australian companies were on the front foot, it would make a huge impact. There are some great Australian success stories, but we need a lot more.'

For more details and data, go to Konekt's website at [www.konekt.com.au](http://www.konekt.com.au) and search for '60 billion'.

## Other findings

- The average age of a worker being referred for rehabilitation services is 41, with 51% of all referrals being for people between 30 and 49.
- According to Safe Work Australia, men account for two thirds of all serious workers compensation claims lodged (those requiring one or more weeks off work).
- However more women in this group experience mental injuries.
- Those with lower socioeconomic profiles had a significantly longer average delay to referral time (102 weeks) compared to those with the higher socioeconomic profiles (84 weeks).

## NEWS + EVENTS

# Update: High risk work licences

**WorkSafe Tasmania no longer converts 'old style' non-photographic licences to renewable photographic High Risk Work (HRW) licences.**

## How does this affect you

If you hold an 'old style' certificate and you haven't converted it to a new HRW licence, you must attend a registered training organisation to undertake training and assessment

to obtain a new HRW licence.

Most other states/territories have already stopped converting 'old style' licences (or intend to stop within the next 12 months). Therefore you won't be able to apply to other states/territories to convert your licence.

## To obtain a Tasmanian HRW licence

You must have:

- a valid photographic HRW licence

issued in another jurisdiction with three months of the expiry and/or less than twelve months past the expiry of the licence; or

- a valid\* Assessment Summary for the relevant HRW class issued by a registered training organisation in Tasmania.

\*Valid = An application lodged within 60 days of completing the assessment.

# Review of WHS laws

**Earlier this year, the Council of Australian Governments (COAG) agreed to investigate ways of improving the model WHS laws to reduce red tape and make it easier for businesses and workers to comply with their WHS responsibilities.**

## Public comment

In July, the Agency supporting Safe Work Australia Agency prepared and released a combined issues paper and consultation regulation impact statement. The paper invited feedback on several areas of possible improvement identified by COAG; and provided the opportunity for business and workers to raise further issues that cause them practical difficulties as they try to comply with the laws.

Submissions received by WorkSafe Tasmania by the August closing date were forwarded to the Agency for consideration, along with input from other jurisdictions.

## What next?

The feedback will provide valuable information for the Agency to consider as it develops a draft report for ministers responsible for WHS.

This draft report will also be informed by discussions with regulators, research, and input from Safe Work Australia members.

The draft report will be provided to ministers for their consideration at a meeting proposed for November; if approved, it will be submitted to COAG.

Watch future editions of Workplace Issues for further updates.

## Action in Tasmania

The Tasmanian Government supports COAG's examination of the model WHS laws, which coincides with local initiatives to reduce red tape for Tasmanian businesses.

The Government will work with local stakeholders in key industry sectors to identify practical ways of simplifying the WHS laws and reducing any unnecessary compliance burden, while continuing to effectively protect the health and safety of workers.

This local consultation will inform Tasmania's input at the ministers' November meeting and subsequent COAG meeting.



# Read the mag? Now tell us what you think

**We want to make sure Workplace Issues gives you the practical information you need to manage health and safety, return to work and wellbeing in your workplace.**

What articles have met your needs in this edition? What do you want more of? And what could you do without?

Let us know at [wstinfo@justice.tas.gov.au](mailto:wstinfo@justice.tas.gov.au) with the subject line 'magazine'. Thank you!



# Prosecutions

## Under the Workers Rehabilitation and Compensation Act 1988

### Hobart take-away pizza/restaurant: no workers compensation policy

On 4 June 2013, a person phoned WorkSafe Tasmania to advise her daughter had slipped and suffered an injury to her left elbow; and had workers compensation medical certificates but had not been paid wages or medical expenses.

WorkSafe Tasmania's investigation found that Xabi & Zoe's Pty Ltd:

- did not have workers compensation policy in Tasmania and was not granted a permit to self-insure
- employed 11 workers from 20 December 2009 to 12 June 2013.

After WorkSafe Tasmania wrote to the company on 4 June 2013, the company:

- took out workers compensation policy from 13 June 2013

- paid wages owed and medical expenses to the injured worker.

### The charges

Xabi & Zoe's Pty Ltd was charged with a breach of section 97(1) of the workers Rehabilitation and Compensation Act 1988 — failure to maintain a policy of insurance from 20 December 2009 to 12 June 2013. The company pleaded guilty.

### The verdict

The company was convicted and fined \$1,000 plus \$2,638 in avoided premium.

### Hobart chemist: no workers compensation policy

Alison Tascone and Abdul Haroon applied to the Tasmanian State Revenue Office to register as an employer for payroll tax. Their company began operations on 8 August 2011.

This information was sent to WorkSafe

Tasmania. WorkSafe found the company did not have a workers compensation policy in Tasmania and was not granted a permit to self-insure.

After WorkSafe contacted the company, it took out a workers compensation policy from 24 July 2012.

WorkSafe Tasmania's investigation found that from 17 August 2011 to 23 July 2012, the company employed 18 workers.

### The charges

Alison Tascone and Abdul Haroon were charged with a breach of section 97(1) of the Workers Rehabilitation and Compensation Act 1988 — failure to maintain a policy of insurance from 17 August 2011 to 23 July 2012.

### The verdict

Alison Tascone and Abdul Haroon pleaded guilty and were fined \$916 each in avoided premium.

## WorkSafe Advisory Service

FREE, in-confidence advice on WHS.

Our WHS Advisors provide:

- face-to-face practical assistance
- workplace visits

- information sessions
- safety publications.

If you are an employer anywhere in Tasmania, with less than 200 workers, and would like specialist

advice on health and safety in the workplace, phone us on 1300 366 322 or (03) 6166 4600 or go to 'Safety Advisors' on [www.workcover.tas.gov.au](http://www.workcover.tas.gov.au) to arrange for an advisor to visit you.



### **South Australian company: no workers compensation policy**

On 23 October 2013, a person contacted WorkSafe Tasmania advising that a worker of South Australian-based company Ultra Violet Products (Aust) Pty Ltd had been injured in Tasmania; on lodging a claim form for workers compensation in South Australia, they had been declined and advised the claim form needed to be lodged in Tasmania. The person therefore called WorkSafe Tasmania for a Tasmanian claim form.

WorkSafe Tasmania's investigation found:

- the company did not have workers compensation policy in Tasmania and was not granted a permit to self-insure
- two of the directors moved to Tasmania and began working in Tasmania as workers from 5 July 2009
- one of the directors injured himself on 8 October 2013 and lodged a claim through the employer's South Australian insurer. The claim was rejected on the basis the person was a worker in Tasmania.

After WorkSafe contacted the company, it took out a workers compensation policy in Tasmania from 6 November 2013.

The company therefore did not have workers compensation for their two

Tasmanian workers from 5 July 2009 to 5 November 2013.

### **The charges**

Ultra Violet Products (Aust) Pty Ltd was charged with a breach of section 97(1) of the Workers Rehabilitation and Compensation Act 1988 — failure to maintain a policy of insurance from 5 July 2009 to 5 November 2013. The company pleaded guilty.

### **The verdict**

The company was put on a good behavior bond and ordered to pay \$4,056 of avoided premium.

### **Victorian company: no workers compensation policy**

The company applied to the Tasmanian State Revenue Office to register as an employer for payroll tax. The company began operations in Tasmania on 1 January 2012.

This information was sent to WorkSafe Tasmania. It found the company did not have a workers compensation policy in Tasmania and they were not granted a permit to self-insure.

After WorkSafe contacted the company, it took out a workers compensation policy from 27 August 2013.

WorkSafe Tasmania's investigation found that from 1 January 2012 to 26 August 2013, the company employed four workers.

### **The charges**

Jura Australia Espresso Pty Ltd was charged with a breach of section 97(1) of the Workers Rehabilitation and Compensation Act 1988 — failure to maintain a policy of insurance from 1 January 2012 to 26 August 2013. The company pleaded guilty.

### **The verdict**

The company was fined \$1,000 plus \$1,000 in avoided premium.

In Tasmania, an employer can either take out a workers compensation insurance policy with a licensed insurer to cover it for workers compensation claims made by its workers; or apply to WorkCover Tasmania to become its own self insurer.

For information on both options, go to the WorkCover website at [www.workcover.tas.gov.au/insurance](http://www.workcover.tas.gov.au/insurance)

# Everybody's Talking...

## Questions and answers from our Helpline

### **I just realised that my High Risk Work Licence ran out a couple of months ago. I didn't get a renewal notice because we've moved house. What can I do?**

First, update your address with WorkSafe Tasmania! Email your new details to [wstinfo@justice.tas.gov.au](mailto:wstinfo@justice.tas.gov.au) or go to [www.worksafe.tas.gov.au](http://www.worksafe.tas.gov.au) and search for 'address'. Please do this whenever you move.

You can renew your High Risk Work Licence up to 12 months after expiry, at any Service Tasmania outlet.

If more than 12 months have passed since expiry, you will need to contact a registered training organisation to arrange a re-assessment for the class(es) of licence you held.

Go to [www.worksafe.tas.gov.au](http://www.worksafe.tas.gov.au) and search for 'RTO' to find a list of registered training organisations.

You may not operate the equipment without a current licence.

### **When is HSR training required?**

Training provides a Health and Safety Representative (HSR) with the skills and knowledge to perform their role effectively. It allows them to perform some additional functions that an untrained HSR cannot.

Training is only compulsory if requested by an HSR. The training they are entitled to is:

- a five-day training course with a WorkSafe Tasmania-approved training provider
- a one day refresher course each year.

### **How long can I be away from a construction site before having to redo my Construction Induction (white card) training?**

Up to two years. If you haven't done construction work for over two years, then the PCBU you are working for must not allow (or ask) you to do construction work.

The PCBU must also ensure you are provided with site-specific construction induction training by the person who is carrying out construction work.

Find more information in the 'Construction Work Code of Practice (CP104)'; go to [www.worksafe.tas.gov.au](http://www.worksafe.tas.gov.au) and search for 'CP104'.

### **If I'm exposed to asbestos at work, is there somewhere I can have the exposure recorded in case of future complications?**

Your PCBU should have procedures in place for reporting and recording any workplace incident.

Your PCBU must notify WorkSafe of any uncontrolled exposure to a substance such as asbestos. They can do this by calling the Helpline on 1300 366 322.

Workers should also keep their own records, including:

- employment information
- when, where and how the exposure occurred
- what work was being done at the time
- what product was involved (if known)

- details of witnesses if possible
- whether diagnosed with an asbestos related disease (if yes, keep medical records).

Workers can also provide their details to the National Asbestos Exposure Register. Go to the website of the Australian Government's Asbestos Safety and Eradication Agency at [asbestossafety.gov.au](http://asbestossafety.gov.au) and search for 'register'.



# Red tape reduction has various dimensions

## Reducing unnecessary red tape in work health and safety is a really important priority.

I've previously focussed on myths around WHS and the important role we all have in ensuring that WHS is relevant to workplaces.

We also need to ensure the legislation is not encouraging unnecessary and irrelevant approaches in workplaces. The model Work Health and Safety Act is under review, and at the time of writing, we are consulting with various stakeholders on the areas where the legislation can be improved. I'll be very interested to see the results of that approach.

Another aspect to red tape is the way the WHS regulator goes about its job. Are we irrelevant because of a pedantic approach — or are we a source of quality guidance on compliance?

A big challenge in being an effective regulator is that different parties may have widely differing expectations of our role. The National Compliance and Enforcement Policy summarises this dilemma very well when it talks about the need to balance a number of considerations, including:

- the community's expectation that businesses and undertakings will be monitored and held accountable if they fail to comply with WHS laws
- the need to support workplace parties and stakeholder bodies to build their capability to achieve compliance with WHS laws, and
- the need to work with industry, workplace parties and stakeholders to continue to promote innovation and continuous improvements in WHS standards.



The WorkSafe Tasmania strategic plan recognises the importance of this issue; the third of our five strategies focuses on being an effective regulator. To measure our progress in this area, we recently surveyed workplaces that have dealt with the WorkSafe Inspectorate.

The results were quite illuminating and reassured me that we are on the right path. Overall, 88% of those workplaces that responded stated they were either satisfied or very satisfied with our efforts.

What particularly pleased me were the results around their understanding of the legislation and codes of practice. 76% of respondents rated their knowledge as 'general' or 'comprehensive' prior to a visit by a WorkSafe inspector. That percentage rose to 95% after the visit.

Of course, we can always do better and the survey also contained lots of pointers for improvement.

From a red tape reduction point of view, I was particularly interested in comments from one respondent who raised the challenge of having to deal with a range of government and government

business enterprises. They said there are times when water, power, WorkSafe and other agencies may all become involved in an issue. They find these situations both time-consuming and potentially duplicative; and suggested that a process be established where one agency takes the lead on coordinating such complex interactions.

They didn't use the term 'red tape' but they are undoubtedly describing it.

This is the last of my columns, as I've accepted a new role within the Department of Justice. It's been five years since I began in this role and it's been an absolute privilege to have had the chance to make a difference in Tasmanian work health and safety.

I've been incredibly impressed by the excellent work that so many of you are doing to make your workplaces safer. Our injury rates are showing a consistent trend of improvement and I encourage you to keep up the great work. Importantly, keep spreading the word that work health and safety is a key driver of efficiency in your business and not just something 'that we have to do'.

I wish you all the very best for the future.

**Neale Buchanan**



**WorkSafe**  
TASMANIA

PRINCIPAL SPONSOR

**TAKE A LOOK AT**

**THE BIG PICTURE.**

[bigpicturetas.com.au](http://bigpicturetas.com.au)

# 2014 WORKSAFE TASMANIA AWARDS PRESENTATION DINNER



Join local radio presenter, writer, producer, actor, comedian and MC, Ryk Goddard as we recognise and celebrate the achievements of all entrants, finalists and winners in the 2014 WorkSafe Awards. After the formal presentations, continue celebrating Halloween with dancing and music by Dr Fink.

**Date:**

Friday 31 October 2014  
6.30 pm for 7.00 pm

**Venue:**

Federation Ballroom,  
Hotel Grand Chancellor,  
Hobart

**Tickets:**

\$ 110 each (includes  
three-course dinner and  
drinks)  
\$990-table of 10

**Bookings:**

Online at  
[www.worksafe.tas.gov.au](http://www.worksafe.tas.gov.au)  
or phone 1300 366 322

**Dress:**

Jacket and tie  
After five

