

Basic occupational safety and health responsibilities

'read out'

Workplace safety and health is everyone's responsibility

The *Occupational Safety and Health Act 1984* sets out these responsibilities. Here is an example of an incident in WA.

A car detailer was cleaning the boot area of a car in the wash bay area at a car dealer. He was struck by a car, which pushed him into the rear of the car he was cleaning and he was crushed between the two vehicles. As a result, he suffered multiple fractures to his pelvis and lower legs. The car that hit him was driven by a 17 year old apprentice mechanic who did not have his driver's licence. The workplace had a practice of letting apprentices who only had learner's permit drive vehicles by themselves unsupervised around the workplace, including the main driveway and areas accessed by pedestrians and other cars. During an investigation into the incident, it was found that the apprentice had already been involved in two separate car accidents at the workplace.

'ask'

Q. What are some of the things that went wrong with safety at that workplace?

Possible answers: *Young inexperienced person, no supervision, no licence, interaction between people and cars, no safe routes marked out.*

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The things that you have identified all relate to the employer's 'duty of care' or responsibility under the Act to ensure a safe workplace for workers.

Our employer must provide us with a safe system of work, for example safe movement of vehicles at the workplace, so as much as possible we are not exposed to hazards. Our employer must also provide us with appropriate supervision, information, instruction and training so we can work safely, such as supervision of the apprentice when he was driving or instructing the workplace that apprentices are not allowed to drive vehicles when they only have a learner's permit.

Under our employer's general 'duty of care' to make sure workers are safe, they must also consult and co-operate with safety and health representatives and other workers about safety and health at work.

'ask'

Q. Why do you think that the employer has to talk to us about safety and health?

Possible answers:

- *Because we do the work every day, we know about some of the hazards and risks linked to our jobs that our employer or safety and health manager might not have picked up on.*
- *Because we might be able to suggest different and safer ways of doing things.*
- *Because workplace safety is everybody's responsibility - good safety and health management at a workplace includes everybody talking about safety so we all know what the safety issues are and what we must do to avoid getting hurt.*

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Our employer has other general duties and responsibilities. Where it is not practical to get rid of hazards, our employer must provide us with Personal Protective Equipment, like high visibility vests hard hats, safety glasses and gloves, to protect against the hazards, without any cost to us.

Our employer must also report to WorkSafe any workplace deaths and serious injuries and diseases, such as a fracture of the skull, spine, pelvis, arm or leg, amputations and any injury a doctor thinks will mean we won't be able to work for 10 days from when we got hurt.

This means WorkSafe gets information on the types of injuries happening and can work out whether it needs to visit similar workplaces or put out information on how to make these workplaces safer.

'ask'

Q. Who else do you think has general 'duty of care responsibilities'?

Answers:

- *Everybody at the workplace has responsibility for safety, not just the employer.*
- *Workers, labour hire workers, contractors.*
- *Self-employed people have to take care of their own safety and not hurt anybody at the workplace.*
- *Main contractors have to ensure the safety of any contractors working for them and the contractor's employees, with each contractor also having to ensure the safety of their workers.*
- *Labour hire businesses have to ensure the safety of labour hire workers, with the labour hire clients also having to ensure the safety of labour hire workers.*
- *People in control of workplaces, such as property managers or site managers, have to ensure the state of the workplace is free from hazards, like making sure the exits aren't blocked.*

'ask'

Q. What are our responsibilities for safety and health?

Answers:

- *We need to take care of our own safety and health. This means following our employer's safety instructions and using our PPE (if we have it) in the way we have been told to use it.*
- *We also have to take care not to hurt anybody when we are working.*
- *We also have to co-operate with our employer, when they do safety and health things at the workplace like making changes to work practices to improve safety.*
- *We must also report to our employer any hazards and injuries that happen at work.*

'read out'

Of course, our duty of care to ourselves and others relies on our employer is carrying out their responsibilities, such as giving us safety training and safe work practices.

'ask'

Q. Before I finish, is there anything that you can identify that should be done to improve safety and health at our workplace?

Take notes about suggestions...don't panic if there aren't any takers!

'read out'

OK, unless anyone has any questions, thanks for listening to me.

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