



WHS and HR

Policies and Procedures

2022-2023

It is our intention to provide a safe working environment for workers, contractors, clients and visitors. This manual contains policies and procedures designed to assist compliance with the Health and Safety Act 2012, the Fair Work Act 2009, and the Return To Work Act 2014.

Use of this manual

Use of Documents

Bowley Plumbing agrees that the documents produced will remain exclusively for their own use and will not be copied, uploaded onto an internet site or lent to other businesses for any purpose without the express consent of *Speyside Solutions*.

Legal Obligation

The information contained in this manual is general in nature. The documents are not to be taken as a statement of law and must not be construed to waive or modify any legal obligation. Although every effort is made to identify the relevant Codes and Regulations, it is the responsibility of this company to ensure compliance with all legislative responsibilities.

All workers have obligations

This manual is not inclusive of all possible situations and business owners, officers and workers should be mindful of their legal responsibilities toward each other for maintaining a safe and healthy work environment. Any worker becoming aware of health and safety matters not addressed within this manual should advise Management accordingly.

Regular Review

It is recommended that all policies and procedures be reviewed annually. However, the policies should be viewed as working documents which can be reviewed and changed as the needs and requirements of the business change.

Specifically:

- When new legislation is proclaimed;
- When amendments are made to legislation;
- As a result of reviews of hazard reports or site inspections; and
- Following receipt of advice which would improve the relevance of the documents.

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Glossary

Code of Practice

Codes of Practice are guidelines written to assist industry to comply with safe work practices.

Contractors

Contractors are occasionally contracted to deliver services. Throughout this document, the term 'worker' refers to contractors as workers as per the *Work Health and Safety Act 2012 definition*

Controls

A Control is an action taken to reduce the likelihood of someone being injured by being exposed to a hazard. There are 5 levels of control ranging from eliminating the hazard completely, through to using Personal Protective Equipment. Many hazards require a range of controls to be in place.

Corrective Action

A type of Control that is taken after an incident has occurred to reduce likelihood of a recurrence.

Hazard

A hazard is something that could injure ourselves or other people, including colleagues, clients or the general public.

Hazardous chemical

A substance, mixture or article that satisfies the criteria for a hazard class in the GHS (Globally Harmonised System of Classification and Labelling of Chemicals) - (Refer Schedule 6 of the *Work Health and Safety Regulations 2012*).

Hazardous manual task

A task that requires a person to lift, lower, push, pull, carry or otherwise move, hold or restrain any person, animal or thing that involves one or more of the following:

- Repetitive or sustained force;
- High or sudden force;
- Repetitive movement;
- Sustained or awkward posture; or
- Exposure to vibration.

High Risk Work

Particular classes of jobs are defined as High Risk. Refer to Regulation 291 of the *Work Health and Safety Regulations 2012*.

Job Safety Analysis (JSA) sometimes also called a Job Safety and Environment Analysis (JSEA)

A JSA or JSEA is a risk assessment done for a particular job. It identifies any particular hazards or risks that are present at the worksite and outlines the controls which will be put in place to manage them.

Legislation

The Legislation which applies most directly to these Policies and Procedures is:

- *Fair Work Act 2009*
- *Work Health and Safety Act 2012*
- *Return to Work Act 2015*

Licences

Some classes of work require the worker to hold a licence. For the complete list, refer to Schedule 3 of the *Work Health and Safety Regulations 2012*.

Management

Defined as anyone in a supervisory position. It includes the Director/Manager, Managers and/or Supervisors within the office and Supervisors at the worksite.

Officers

In the *Work Health and Safety Act 2012*, Officers have a specific role. An Officer is a person who is responsible for ensuring that the Work Health and Safety system that has been put in place is actually used. They must ensure that they show “due diligence” and check the workers to ensure they are working safely, complying with new procedures, completing hazard or injury forms as required, etc.

PCBU

Person in Charge of a Business or Undertaking. The PCBU is the Director/Manager. The person in charge of any other company contracted by *Bowley Plumbing* is also a PCBU for the purposes of the *Work Health and Safety Act 2012*.

Reasonably Practicable

The term is described in detail in the *Work Health and Safety Act 2012*. It does not mean the cost only in dollar terms. Determining what is reasonably practicable includes taking the following into account:

- Severity of the hazard or risk;
- What is known about this hazard and how others have controlled the risk;
- What information other professionals, industry associations, unions or government bodies can provide;
- Availability and suitability of proposed controls; and/or
- The cost of removing or minimising the hazard

Risk

A risk is the result of being exposed to a hazard and refers to the risk of being injured. Risks are categorised as Low, Medium and High.

Safe Work Method Statement

This is a Safe Work Procedure that is developed for High Risk jobs. It includes a Risk Assessment and has the same purpose as a Safe Work Procedure but is more comprehensive.

Safe Work Procedures

This is a document which describes the way a particular job must be done in order to ensure that the job can be done safely.

Workers

The definition of workers in the *Work Health and Safety Act 2012* includes contractors and their workers, volunteers, apprentices and students on work placement. In this document, all staff members and contractors are referred to as workers.

Worksite

A worksite includes the office, the worksite, a worksite, and any other place where work is likely to be carried out. It includes vehicles used as part of work.

Alcohol and Drugs in the Workplace

Policy

Bowley Plumbing is committed to providing a safe, healthy and productive workplace in accordance with requirements under the *Work Health and Safety Act 2012*. All workers have a responsibility under this Act to ensure that they take reasonable care to protect their own health and safety and that of others whilst in the workplace by not being affected by drugs or alcohol to the extent that it impacts on their own or another person's safety or work performance.

This Alcohol and Drugs in the Workplace Policy applies to the office and worksite.

The effects of intoxication and the regular use or dependence on drugs or alcohol are associated with impaired judgement and skills, reduced concentration, absenteeism and increased workplace accidents. These behaviours and activities may seriously affect worker safety and standards of practice.

We recognise that a person's work performance can be affected by problems in their personal life and we are committed to assisting workers to deal with these issues.

For the purpose of this Alcohol and Drugs in the Workplace Policy, *Bowley Plumbing* defines drugs and alcohol as follows:

- "Drugs" refers to a chemical substance, whether it is legal or illegal, which may have the ability to impair a person's physical or mental capacity. These can include prescribed drugs issued by a medical practitioner or non-prescribed drugs, which includes but is not limited to speed, heroin, amphetamines, LSD, crack, cocaine, ecstasy or marijuana;
- "Alcohol" refers to any substance or drink with an alcoholic content that temporarily impairs a person's physical or mental capacity.

Procedure

Workers who have concerns about working with any other worker (including sub-contractors, consultants or visitors to the worksite) due to possible drug or alcohol use should consult with Management.

In circumstances where a worker is taking medically prescribed drugs to manage a specific condition that may interfere with their work performance, they are required to notify Management. Management or Supervisor, in consultation with the worker (and their doctor, if relevant), may adjust the work requirements of the worker concerned. If this is not possible and the situation is temporary, the worker will either resume or commence sick leave until the worker is able to resume work safely.

All workers are prohibited from selling, distributing, manufacturing, possessing or consuming alcohol or illegal drugs during working hours, or when on the premises or worksite. Workers are also prohibited from arriving at work or returning to work from any break under the influence of drugs or alcohol.

To ensure a healthy and safe workplace environment for all of its workers, we reserve the right to take action if a worker is:

- Affected by drugs or alcohol so as to endanger their own safety or the safety of any other person in the workplace;
- Found in the possession of drugs, drug paraphernalia or alcohol on the premises or worksite without prior consent; or
- Affected by drugs or alcohol so that the worker's work performance is impaired.

Any worker found possessing, consuming, distributing, selling or manufacturing drugs or alcohol or under the influence of drugs or alcohol on worksite will be subject to disciplinary action. Depending on the nature of the incident, action taken may include:

- Counselling;
- Instant suspension, pending the outcome of an investigation into the incident;
- Dismissal for serious and wilful misconduct (relates to employees); or
- Subject to having their contract terminated (relates to contractors).

Testing Procedure

If a worker is suspected of being affected by drugs or alcohol during work time and denies the accusation, then Management may request that they undergo an alcohol and drug test. This will be done by an approved provider and will be paid for by the employer. Failure to comply with this request will result in Management assuming that the worker believes that they would return a non-negative test. An investigation will occur which could result in the worker being disciplined.

Alcohol at work functions

There may be certain occasions where alcohol is available at a work function or after work.. In these specific situations, alcohol may be consumed within the appropriate guidelines and with the permission of Management.

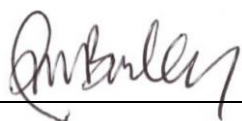
Workers will be responsible for their own behaviour at these times and must realise that:

- The normal obligations for the health and safety of themselves and others still applies;
- The Code of Conduct still applies (see Code of Conduct Policy);
- They must ensure that they have a safe ride home.

Useful Links

<https://www.safework.sa.gov.au/workers/health-and-wellbeing/alcohol-and-drugs>

This site contains a booklet which provides guidelines for managing alcohol and drugs in the workplace.



Phillip Bowley
Director Dec 2022

References

Controlled Substances Act 1984

This Act relates to the regulation and prohibition of the manufacture, production, sale, supply, possession, handling or use of certain poisons, drugs, therapeutic and other substances, and of certain therapeutic devices.

Return To Work Act 2015

This Act provides for rehabilitation and compensation of workers in respect to disabilities arising from their employment. There are specific implications for workers under this Act in relation to being under the influence of alcohol or other drugs.

Work Health and Safety Act 2012**S19 — Primary Duty of Care**

- (1) *A person conducting a business or undertaking must ensure, so far as is reasonably practicable, the health and safety of—*
- (a) *workers engaged or caused to be engaged by the person; and (b) workers whose activities in carrying out work are influenced or directed by the person, while the workers are at work in the business or undertaking.*
- (2) *A person conducting a business or undertaking must ensure, so far as is reasonably practicable, that the health and safety of other persons is not put at risk from work carried out as part of the conduct of the business or undertaking.*

Guidelines for Drugs and Alcohol in the Workplace 2001 — WorkCover Corporation

The International Labour Organisation (ILO) estimates that:

- *20-25 per cent of all occupational injuries are a result of drug and alcohol use*
- *62 per cent of harmful drug and alcohol users are in full time employment, which means about 300,000 workers in Australia*
- *3-15 per cent of fatal injuries at work are related to drug and alcohol use.*

Asbestos in the Workplace

Policy

It is the policy of *Bowley Plumbing* that workers are kept safe from Dangerous goods and Hazardous substances and that workers are not to work in any situation where the presence of asbestos is identified or suspected.

Any work carried out involving asbestos is High Risk work and as such must be carried out in accordance with Chapter 8 of the *Work Health and Safety Regulations 2012*.

Procedure

If the presence of asbestos is known or suspected, the worker must leave the area immediately and warn other workers to do the same. The known or suspected asbestos must not be disturbed.

The worker must then isolate the area so as to prevent access by any other person. This should be done as per the Hazard Management Policy. The worker must then contact Management.

Management will withdraw all workers from the site until such time as a Risk Assessment is undertaken by a Licensed Assessor.

The Licensed Assessor will:

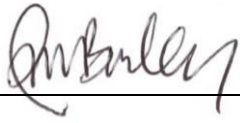
- Identify all asbestos in and around the site, as far as practical. That means:
 - identifying the locations, types and conditions of asbestos; and
 - determining whether any inaccessible areas are likely to contain asbestos
- Assess the risk for all identified or presumed asbestos. The assessment considers:
 - the condition of the asbestos products;
 - the likelihood of exposure (e.g. location, extent, occupancy and activities carried out in the area);
 - whether any work to be carried out is likely to disturb the asbestos; and
 - the results of any air monitoring that has been carried out.
- Provide recommendations for the control of the risks associated with any identified or presumed asbestos product.

Before any further work is carried out, the Risk Assessment must be made available to Management.

The safety of workers is paramount, and Management will only allow work to occur when satisfied with the Risk Assessment undertaken by the Licensed Assessor.

Under no circumstances are workers to start or resume work without the express permission of Management.

Failure to comply with this policy could result in loss of employment.



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Regulations 2012

S479 — Uncertainty as to presence of asbestos

- (1) *If there is uncertainty (based on reasonable grounds) as to whether work to be carried out for a business or undertaking is asbestos-related work, the person conducting the business or undertaking must ensure that analysis of a sample is undertaken to determine if asbestos or ACM is present.*
- (2) *For the purposes of sub regulation (1), the person must ensure that the sample is analysed only by—*
 - (a) *a NATA-accredited laboratory accredited for the relevant test method;*
 - (b) *a laboratory approved by the regulator in accordance with guidelines published by Safe Work Australia; or*
 - (c) *a laboratory operated by the regulator.*

**Maximum Penalties — Individual \$6,000
Business \$30,000**

Attendance

Policy

Punctual and reliable attendance is essential to efficient operation and productivity. Poor/late attendance and excessive absenteeism also places an added burden on colleagues and will be addressed as a matter of priority.

Bowley Plumbing is committed to applying a consistent approach when dealing with an employee's unacceptable pattern of poor attendance and/or absenteeism from work.

Absences for reasons such as personal illness or injury, or family emergency, must only be taken in accordance with the National Employment Standards that applies to the employee concerned and the requirements outlined in other relevant policies.

Procedure

For any absence, employees are required to contact Management via phone (Text Messages are NOT acceptable) and submit the necessary documentation, such as medical certificates/reports or statutory declarations. It is essential to keep Management informed of the particulars of the situation and of the expected date of the employee's return to work.

Where a pattern of poor/late attendance and/or absenteeism becomes apparent, employees will be counselled to ascertain the reasons, including any relevant workplace or personal issues that may be contributing to such a pattern of poor attendance and/or absenteeism.

If the pattern of poor attendance and/or absenteeism without valid reason continues, following reasonable attempts to assist the employee concerned, then the appropriate disciplinary procedures are to be applied in an attempt to correct the unacceptable behaviour.

Employees must be advised that failure to improve their unacceptable pattern of poor/late attendance and/or absenteeism may result in their employment contract being terminated, subject to the provisions of the relevant Award.

It is the employee's responsibility to present for work in order to be paid. An employee who is late for work or unable to present for work at is not usually entitled to payment for time lost. This is irrespective of whether the circumstances were within their control or not.

Useful Links

<https://www.fairwork.gov.au/tools-and-resources/best-practice-guides/managing-underperformance>

This practice guide refers to underperformance generally, but it provides a straightforward and easy-to-follow process for how to address any underperformance issue.

Forms

- Leave Request Form



Phillip Bowley
Director Dec 2022

References

Fair Work Act 2009

Code of Conduct

Policy

All *Bowley Plumbing* workers are expected to observe high standards of work, behaviour, ethics and integrity as a condition of their employment and/or contract.

Procedure

The standards expected of workers include, but are not limited to, the follows areas.

Honesty

- Punctual attendance at the work site ready to start work at the agreed time and undertaking all work according to the standard agreed;
- No use of any equipment or property which belongs to other workers or clients without the express approval of the owner;
- No private use of phones and social media during work hours (except at scheduled breaks);
- Honesty, respect, fairness and a courteous manner in all dealings with colleagues, clients, contractors, suppliers, and the general public; and
- Not to use the resources available at work for private purposes without consent of Management.

Colleagues and co-workers

- The proper intended use of and respect for all plant and equipment;
- No offensive language or behaviour in the workplace. This includes swearing or joke telling that could be considered offensive; and
- No unlawful discrimination, harassment or bullying in the workplace.

Clothing

- All clothing must be safe and suitable for the task being undertaken;
- Workers must wear sturdy footwear with closed in toes;
- Workers must wear PPE if it is provided;
- Workers must not enter the worksite without appropriate clothing and PPE; and
- Tattoos and piercings may be visible provided that (in the Director/Manager's opinion) they are not contrary to the image that we wish to portray.

Health and Safety


- Strict observation of work health and safety rules, responsibilities and practices at all times. This includes addressing hazards with a sense of urgency;
- Strict compliance with Safe Work Procedures and Safe Work Method Statements;
- Ensuring that the worksite is maintained in a clean and tidy state during the day and at the completion of work for the day; and
- Not possessing, distributing, selling, consuming or being under the influence of drugs or alcohol whilst in the workplace

General

- Compliance with all policies and procedures; and
- Compliance with all reasonable and lawful instructions of Management.

A worker who suspects or becomes aware that this Code of Conduct may be being breached, must report the matter to Management immediately.

Workers who are in breach of this Code of Conduct or suspected of being in breach of this Policy, will be dealt with in accordance with the Discipline policy. In severe or repeated instances, termination of the employment contract may occur.



Phillip Bowley
Director Dec 2022

Complaint Management

Policy

Bowley Plumbing is committed to providing the highest level of client service that is designed to both meet and exceed clients' expectations.

A happy and satisfied client creates a high probability of repeat business and becomes the best form of advertising by passing on positive feedback to others. The basis for excellent client service is integrity and high quality work.

Procedure

All workers are expected to apply the highest possible standards of client service at all times and embrace a culture of continuous improvement when dealing with clients and others who interact with us.

The standards of client service expected of workers include, but are not limited to:

- Honesty, respect, fairness and a courteous manner in all dealings with clients, colleagues, suppliers, management and the general public;
- A sense of urgency to remedy any concerns raised by clients about any aspects of the work. This includes standard of actual work done, clean-up, behaviour of workers, safety concerns, etc;
- Ensuring the privacy and protection of a client's personal information, the accuracy of that information and the timely correction of that information where required;
- A high standard of service; and
- A commitment to the process of quality improvement.

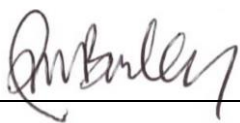
Complaints

The solution sought when investigating a complaint are twofold:

- To understand the issues raised by a complainant; and
- To provide an appropriate remedy.

Any complaint received must be dealt with immediately. If the worker is unable to attend to it at that time, then they must refer the complaint to Management to attend to the person making the complaint.

Failure to comply with this policy could result in loss of employment.



Phillip Bowley
Director Dec 2022

Consultation

Policy

Under the *Work Health and Safety Act 2012*, it is a requirement that workers be consulted on all matters that may affect their health and safety at work. *Bowley Plumbing* values the experience and knowledge of its workers and is committed to ensuring that the consultation process is open, honest and robust.

We are aware of our obligation to consult with other duty holders in relation to safe work processes.

Procedure

We will develop and implement appropriate and compliant systems of workplace consultation and participation in Work Health and Safety. We will ensure that suitable processes for communication of Work Health and Safety matters are provided and implemented, and that consultation with workers (and, where applicable, other stakeholders), is carried out regarding matters that may affect their health and safety at work.

Workers will be consulted when identifying hazards and assessing risks to health and safety arising from the work carried out. Their views will be considered when making decisions about ways to eliminate or minimise those risks.

In line with the *Work Health and Safety Act 2012*, consultation will occur when making decisions about:

- The adequacy of facilities for the welfare of workers;
- Consultation processes;
- Resolving work health or safety issues at the workplace;
- Monitoring the health of workers;
- Monitoring the conditions at the workplace; and
- Providing information and training for workers.

Final decisions on Work Health and Safety matters will rest with Management after consultation and advice from workers and in line with the *Work Health and Safety Act 2012*. In reaching a decision about a particular course of action, Management may choose to engage an independent expert to undertake a formal Risk Assessment.

In the event of a dispute about a Work Health and Safety matter, the worker(s) should follow the following process:

- Make views known to their supervisor; and
- Meet with Management if required, to outline the concerns.

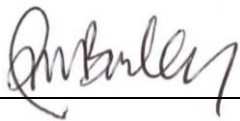
In the event of a dispute, Management will:

- Listen to concerns raised;
- Make their best endeavours to accommodate the concerns;
- Undertake a formal Risk Assessment using an external expert if required; and/or
- Involve an external party to resolve the matter if an agreement can't be reached.

It is our intention to maintain a continuous improvement program that allows systems, policies and Safe Work Procedures to be reviewed and/or amended in consultation with the workers.

All workers will be kept informed of Work Health and Safety matters that may affect them by:

- Toolbox/Worksite meetings; and/or
- Posting information on a Notice Board in a specially designated area for Work Health and Safety.



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Act 2012

S46 — Duty to consult with other duty holders

If more than one person has a duty in respect of the same matter under this Act, each person with the duty must, so far as is reasonably practicable, consult, cooperate and coordinate activities with all other persons who have a duty in relation to the same matter

**Maximum Penalties — Individual \$20,000
Business \$100,000**

S47 —Duty to consult workers

(1) The person conducting a business or undertaking must, so far as is reasonably practicable, consult, in accordance with this Division and the regulations, with workers who carry out work for the business or undertaking who are, or are likely to be, directly affected by a matter relating to work health or safety

**Maximum Penalties — Individual \$20,000
Business \$100,000**

Contractors

Policy

Bowley Plumbing requires all contractors to demonstrate their compliance with their duties under the *Work Health and Safety Act 2012*. Contractors are responsible for ensuring they use safe methods of work and they are willing to comply with our Work Health and Safety policies and procedures.

All Persons in Charge of a Business or Undertaking (PCBU) who are engaged by *Bowley Plumbing* as contractors will be required to ensure that their employees follow safe systems of work.

Procedure

Prior to starting work with our company, contractors will be required to produce some or all of the following documents as relevant;

- A safety policy;
- Job Safety Analysis and Safe Work Procedures;
- Safe Work Method Statements if there is High Risk Work to be undertaken;
- Proof of registration with ReturnToWork (except in the case of sole traders);
- Copy of Public Liability Insurance;
- Copy of Professional Indemnity Insurance (if relevant);
- Copy of Trade Certificates (if relevant);
- Contractor's Licence (if relevant);
- Copy of licence to undertake any work that requires a licence;
- ACN or ABN; and
- Evidence of having undertaken a General Induction in Work Health and Safety (i.e. a White Card)

Safe Work Procedures

Contractors must provide Safe Work Procedures. Failure to provide such documentation leaves our business vulnerable in the event of a serious workplace accident.

Safe Work Method Statements

Any high-risk work being undertaken by contractors must have Safe Work Method Statements prior to work commencing.

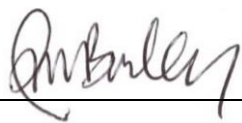
Licences

Some High-Risk work requires licences. All contractors undertaking work which requires a licence must produce the licence prior to starting work.

Useful Links

<https://www.safework.sa.gov.au/workers/types-of-workers/contractors>

This site provides links to Fact Sheets about documentation required for contractors.



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Act 2012

S19 — Primary duty of care

- (1) A person conducting a business or undertaking must ensure, so far as is reasonably practicable, the health and safety of—
- (a) workers engaged, or caused to be engaged by the person; and
 - (b) workers whose activities in carrying out work are influenced or directed by the person, while the workers are at work in the business or undertaking.
- (2) A person conducting a business or undertaking must ensure, so far as is reasonably practicable, that the health and safety of other persons is not put at risk from work carried out as part of the conduct of the business or undertaking.

Work Health and Safety Regulations 2012

S39 — Provision of information, training and instruction.

- (1) This regulation applies for the purposes of section 19 of the Act to a person conducting a business or undertaking.
- (2) The person must ensure that information, training and instruction provided to a worker is suitable and adequate having regard to—
- (a) the nature of the work carried out by the worker;
 - (b) the nature of the risks associated with the work at the time the information, training or instructions is provided, and
 - (c) the control measure implemented.
- (3) The person must ensure, so far as is reasonably practicable, that the information, training and instruction provided to a worker is provided in a way that is readily understandable by any person to whom it is provided.

**Maximum Penalties — Individual \$6,000
Business \$30,000**

S316 — Duty to provide general construction induction training

A person conducting a business or undertaking must ensure that general construction induction training is provided to a worker engaged by the person who is to carry out construction work, if the worker—

- (a) has not successfully completed general construction induction training; or
- (b) successfully completed general construction induction training more than 2 years previously and has not carried out construction work in the preceding 2 years.

**Maximum Penalties — Individual \$3,600
Business \$18,000**

**Expiation Fee — Individual \$432
Business \$2,160**

S317 — Duty to ensure worker has been trained

- (1) A person conducting a business or undertaking must not direct or allow a worker to carry out construction work unless—
- (a) the worker has successfully completed general construction induction training; and
 - (b) if the worker completed the training more than 2 years previously—the worker has carried out construction work in the preceding 2 years.

**Maximum Penalties — Individual \$3,600
Business \$18,000**

- (2) The person conducting the business or undertaking must ensure that—
- (a) the worker holds a general construction induction training card; or
 - (b) if the worker has applied for but not yet been issued with a general construction induction training card, the worker holds a general construction induction training certification, issued within the preceding 60 days.

Discipline

Policy

Bowley Plumbing is committed to ensuring that when disciplinary issues arise (including the possibility of termination of the employment contract) every worker is treated fairly and equitably, in accordance with industrial standards of natural justice and procedural fair play.

We will not normally consider terminating the employment of a worker for poor work performance or misconduct issues, unless the worker has the opportunity to improve their performance through support, training, instructions and written warning(s), and that the unsatisfactory performance or misconduct continues after a reasonable period of time for improvement has been allowed. The exception, however, is in the case of serious and wilful misconduct by the worker, where instant dismissal may be justified.

The counselling and discipline process is designed to assist in dealing with work performance matters in a fair and consistent manner, ensuring that:

- The relevant parties know exactly where they stand at any given time against the requirements of the job and conditions of employment;
- The worker has been allowed the time and resources to adjust and improve;
- An agreed course of action, together with specific and clearly defined outcomes, has been determined, and
- Hasty, uninformed decisions are avoided.

Procedure

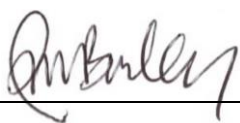
Our disciplinary procedures contain a series of steps which will be followed prior to any termination of employment or other disciplinary action being implemented. However, each particular circumstance will determine what action is appropriate, including the number of warnings and the suitable review period for the worker to remedy their poor performance or behaviour.

All counselling sessions, warnings or other instances of disciplinary action must be recorded in writing, with a copy provided to the worker concerned and the original placed on their Personnel File.

Useful Links

<https://www.fairwork.gov.au/>

This is the site for the Fair Work Commission. It has links to the Act, Regulations, and a series of Fact Sheets.



Phillip Bowley
Director Dec 2022

Electrical Safety

Policy

It is the policy of *Bowley Plumbing* to ensure that the health and safety of workers or any other person is not placed at risk from electrical hazards. We will ensure that all electrical equipment used at the worksite is safe to use, that procedures for the safe use of electricity and electrical equipment are implemented and followed, and that workers are not exposed to risk from working near electrical installations and services.

We require that all electrical installations, equipment, tools and appliances used in *the business* are compliant with all applicable regulations and standards, and that all electrical equipment, tools and appliances are inspected, maintained and tested as required by a competent person.

Procedure

Management must ensure that the following occurs:

- Develop and maintain a register of all electrical equipment, tools and appliances used in the workplace;
- All statutory inspections and testing are carried out in accordance with AS/NZ 3760:2010 and records kept of these;
- Any maintenance, repairs and servicing of electrical plant, tools and equipment is carried out only by competent and/or licensed persons;
- Electrical equipment, tools and appliances are connected to a circuit protected by a fixed residual current device, or where this is not available, to an approved portable safety switch; and
- Any work carried out in the vicinity of live electrical installations is carried out in an approved manner that will not expose workers to any risk of electric shock or contact with live parts.

Workers must adhere to approved safe work methods when using electrical tools and equipment, and when working near live electrical installations (including overhead and underground conductors).

Workers must -

- Carry out safety checks of electric power tools before use (including inspection of test tags);
- Use electric power tools and equipment only for the purpose for which it was intended;
- Ensure that flexible cords and cord extension sets are not exposed to risk of damage;
- Check operation of portable safety switches at intervals specified by standards (see Table 4 below); and
- Not use faulty electrical tools or equipment or carry out any unauthorised repairs to tools or equipment.

TABLE 4 - Testing and Inspection Intervals for Electrical Equipment

(CAUTION: This page must be read in conjunction with [AS/NZS 3760:2010](#) as a whole, and particularly clause 2.1)

Type of environment and/or equipment (a)	Interval between inspection and tests				
	Equipment including Class I equipment, Class II equipment, cord sets, cord extension sets and EPODs (b)	Residual current devices (RCDs)			
		Push-button test – by user		Operating time and push-button test	
		Portable (c)	Fixed (d)	Portable (e)	Fixed (f)
1 Factories, workshops, places of work or repair, manufacturing, assembly, maintenance or fabrication	6 months	Daily, or before every use, whichever is the longer	6 months	12 months	6 months
2 Environment where the equipment or supply flexible cord is subject to flexing in normal use OR is open to abuse OR is in a hostile environment	12 months	3 months	6 months	12 months	12 months
3 Environment where the equipment or supply cord is NOT subject to flexing in normal use and is NOT open to abuse and is NOT in a hostile environment	5 years	3 months	6 months	2 years	5 years
4 Residential type areas of: hotels, residential institutions, motels, boarding houses, halls, hostels accommodation houses, and the like	2 years	6 months	6 months	2 years	2 years
5 Equipment used for commercial cleaning	6 months	Daily, or before every use, whichever is the longer	N/A	12 months	N/A
6 Hire equipment: Inspection Test and tag	Prior to hire	Including push-button test by hirer prior to hire		N/A	N/A
	3 months	N/A		3 months	12 months
7 Repaired, serviced and second-hand equipment	After repair or service which could affect electrical safety, or on reintroduction to service, refer to AS/NZS 5762				

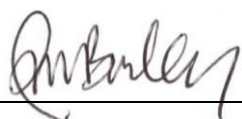
Forms

- Incident Report Form

Useful Links

<https://www.safeworkaustralia.gov.au/doc/model-code-practice-managing-electrical-risks-workplace>

This PDF file is a comprehensive Code of Practice for Managing Electrical Risks in the Workplace.



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Regulations 2012

S147 – Risk management

A person conducting a business or undertaking at a workplace must manage risks to health and safety associated with electrical risks at the workplace

S150 – Inspection and testing of electrical equipment

(1) A person conducting a business or undertaking at a workplace must ensure that electrical equipment is regularly inspected and tested by a competent person if the electrical equipment is:

- supplied with electricity through an electrical socket outlet; and
- used in an environment in which the normal use of electrical equipment exposes the equipment to operating conditions that are likely to result in damage to the equipment or a reduction in its expected life span, including conditions that involve exposure to moisture, heat, vibration, mechanical damage, corrosive chemicals or dust.

**Maximum Penalties — Individual \$3,600
Business \$18,000**

**Expiation Fee — Individual \$432
Business \$2160**

- (2) The person must ensure that a record of any testing carried out is kept until the electrical equipment is
- (a) next tested; or
 - (b) permanently removed from the workplace.

**Maximum Penalties — Individual \$1,250
Business \$6,000**

**Expiation Fee — Individual \$144
Business \$720**

S151 – Untested electrical equipment not to be used

A person conducting a business or undertaking must ensure, so far as is reasonably practicable, that electrical equipment is not used if the equipment –

- (a) Is required to be tested under regulation 150; and
- (b) Has not been tested.

**Maximum Penalties — Individual \$3,600
Business \$18,000**

**Expiation Fee — Individual \$432
Business \$2160**

S165 – Testing of residual current devices

- (1) A person with management or control of a workplace must take all reasonable steps to ensure that residual current devices used at the workplace are tested regularly by a competent person to ensure that the devices are operating effectively.

**Maximum Penalties — Individual \$3,600
Business \$18,000**

**Expiation Fee — Individual \$432
Business \$2160**

- (2) The person must keep a record of all testing of a residual current device (other than any testing conducted daily) until the earlier of the following occurs:

- (a) The device is next tested;
- (b) The device is permanently removed from use

**Maximum Penalties – Individual \$1,250
Business \$6,000**

**Expiation Fee — Individual \$144
Business \$720**

Environment

Policy

The *Work Health and Safety Act 2012* compels industry to ensure that it protects the health and welfare of not only its workers but also the general public. It therefore follows that any action which damages the environment is also potentially harmful to the community.

Australia has one of the world's largest ecological footprints per capita. Over 50% of Australia's footprint is due to greenhouse emissions.

Bowley Plumbing is committed to the principles of responsible environmental management, sustainability and protection of the natural environment. We recognise our moral and legal responsibility to ensure that our work activities, products and services are designed to protect and enhance the environment in the communities in which we operate, and our obligations to ensuring that our operations do not place the natural environment or the local community at risk of harm.

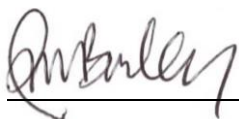
Procedure

We are committed to environmental improvement and prevention of pollution. We will achieve this by working with our clients and suppliers to adopt procedures that –

- Reduce waste by recycling office refuse;
- Recycle waste from jobs where possible;
- Increase the use of environmentally acceptable materials, equipment and technology in place of those which are considered harmful;
- Actively promote environmental awareness among our workers and clients; and
- Encourage workers to dispose of their waste responsibly.

Workers must

- Behave responsibly and adhere to environmental initiatives of *the business*;
- Complete an Incident Report Form if they observe any incident or action which may be hazardous to the environment. (The normal procedure for reporting incidents will then be followed - see Incident Reporting Policy); and
- Be meticulous about cleaning up and sorting waste.



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Act 2012
S19 – Primary duty of care

- (1) A person conducting a business or undertaking must ensure, so far as is reasonably practicable, the health and safety of—
- (a) workers engaged, or caused to be engaged by the person; and
 - (b) workers whose activities in carrying out work are influenced or directed by the person, while the workers are at work in the business or undertaking.
- (2) A person conducting a business or undertaking must ensure, so far as is reasonably practicable, that the health and safety of other persons is not put at risk from work carried out as part of the conduct of the business or undertaking.

Environmental Protection Act 1993

A person must not undertake an activity that pollutes, or might pollute the environment unless the person takes all reasonable and practicable measures to prevent or minimise any resulting environmental harm.

S79 — Causing serious environmental harm

- (1) A person who causes serious environmental harm by polluting the environment intentionally or recklessly and with the knowledge that environmental harm will or might result is guilty of an offence

**Maximum Penalties — Individual \$500,000
Business \$2,000,000**

S80 — Causing material environmental harm

- (1) A person who causes material environmental harm by polluting the environment intentionally or recklessly and with the knowledge that environmental harm will or might result is guilty of an offence.

**Maximum Penalties — Individual \$250,000
Business \$500,000**

S82 — Causing environmental nuisance

- (1) A person who causes an environmental nuisance by polluting the environment intentionally or recklessly and with the knowledge that an environmental nuisance will or might result is guilty of an offence

**Maximum Penalties — Individual \$30,000
Business \$60,000**

Facilities

Policy

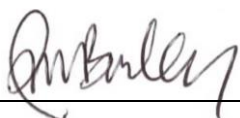
Bowley Plumbing is aware of its obligation under the *Work Health and Safety Act 2012* to provide and maintain adequate facilities for workers. Those facilities include adequate lighting, enough space to undertake the work, adequate bathroom and toilet access, and a suitable place to eat lunch.

Procedure

Management will ensure that suitable facilities are available.

Shared facilities such as the kitchen, bathroom, toilet and eating areas must be kept clean at all times. Each worker **MUST** leave the area clean for the next person to use.

Management will ensure that workers are consulted about the facilities and their views considered.



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Act 2012

S19 – Primary Duty of Care

(3) a person conducting a business or undertaking must ensure, so far as is reasonably practicable -

(e) the provision of adequate facilities for the welfare at work of workers in carrying out work for the business or undertaking, including access to those facilities

Work Health and Safety Regulations 2012

S40 – Duty in relation to general workplace facilities

A person conducting a business or undertaking at a workplace must ensure, so far as is reasonably practicable, the following:

- (a) the layout of the workplace allows, and the workplace is maintained so as to allow, for persons to enter and exit and to move about without risk to health and safety, both under normal working conditions and in an emergency;
- (b) work areas have space for work to be carried out without risk to health and safety;
- (c) floors and other surfaces are designed, installed and maintained to allow work to be carried out without risk to health and safety;
- (d) lighting enables—
 - (i) each worker to carry out work without risk to health and safety; and
 - (ii) persons to move within the workplace without risk to health and safety; and
 - (iii) safe evacuation in an emergency;
- (e) ventilation enables workers to carry out work without risk to health and safety;
- (f) workers carrying out work in extremes of heat or cold are able to carry out work without risk to health and safety;
- (g) work in relation to or near essential services does not give rise to a risk to the health and safety of persons at the workplace.

**Maximum Penalties — Individual \$6,000
Business \$30,000**

S41 — Duty to provide and maintain adequate and accessible facilities

(1) A person conducting a business or undertaking at a workplace must ensure, so far as is reasonably practicable, the provision of adequate facilities for workers, including toilets, drinking water, washing facilities and eating facilities.

**Maximum Penalties — Individual \$6,000
Business \$30,000**

(2) The person conducting a business or undertaking at a workplace must ensure, so far as is reasonably practicable, that the facilities provided under subregulation (1) are maintained so as to be—
(a) in good working order; and
(b) clean, safe and accessible.

**Maximum Penalties — Individual \$6,000
Business \$30,000**

(3) For the purposes of this regulation, a person conducting a business or undertaking must have regard to all relevant matters, including the following:

- (a) the nature of the work being carried out at the workplace;
- (b) the nature of the hazards at the workplace;
- (c) the size, location and nature of the workplace;
- (d) the number and composition of the workers at the workplace.

Falls

Including falls from height and falling objects

Policy

Falls are a significant hazard and are a major cause of death and serious injury. *Bowley Plumbing* is committed to providing a safe working environment for all workers/contractors and for ensuring that all workers/contractors undertake their work in a safe manner.

We are aware of our shared duty with other PCBUs if we are working on a construction site or any site where other trades are working. All PCBUs must provide a safe place of work for all employees.

This policy applies to:

- Workers/contractors falling from a height;
- Workers/contractors falling into a hole, ditch or trench; and
- Work/contractors being hit by falling objects.

Procedure

We will ensure that we have processes at each worksite to help ensure that the risk of injury through falling is eliminated or minimised. Some of those processes will include hazard checks, toolbox meetings and risk assessments.

Fall protection measures must be

- Fit for the purpose;
- Suitable for the nature and duration of the work; and
- Set up and used correctly.

Control Measures

The Hierarchy of Controls which must be used on all worksites in relation to falls prevention are:

- Level 1 controls – carry out work on the ground or on a solid construction: A building or structure that is used as an existing place of work and includes safe access and egress from which there is no risk of a fall from one level to another (e.g. properly constructed stairs with fixed handrails, flat roofs with a parapet or permanently installed guardrails around the edges);
- Level 2 controls – carry out the work using a fall prevention device (e.g. temporary work platforms, installing guard rails) if it is reasonably practicable to do so;
- Level 3 controls – carry out the work using a work positioning system (e.g. a travel restraint system) if it is not reasonably practicable to provide a fall prevention device;
- Level 4 controls – carry out the work using a fall arrest system, so far as is reasonably practicable, if it is not reasonably practicable to provide a fall prevention device or a work positioning system; or
- Level 5 controls – if a risk remains after considering all of the control measures listed above and there is no reasonably practicable alternative, administrative controls must be implemented. The work may also be undertaken from ladders.

Level 1,2,3 or 4 are usually necessary when working at a height of 3 metres or more.

Depending on the risk assessment, ladders and administrative controls may be all that is reasonably practicable to implement for work at heights of less than 3 metres.

In most cases, a combination of control measures may be necessary, e.g. using administrative controls whilst working from scaffolding.

Falling Objects

We require all workers to ensure that risks associated with falling objects are minimised. Supervisors and contractors must ensure that they keep workers safe by employing methods such as:

- Providing a secure barrier;
- Providing a safe means of raising and lowering objects; and/or
- Providing an exclusion zone that workers/visitors are prohibited from entering.

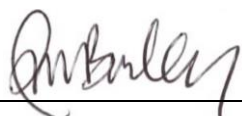
Management reserves the right to determine if the control measures being used are not sufficient. Workers may also stop work and not return until a suitable Safe Work Procedure has been developed.

Management also reserves the right to order that work stops if it is believed that the Safe Work Procedure is not being adhered to.

Useful Links

<https://www.safework.sa.gov.au/workplaces/codes-of-practice>

This site links to the Code of Practice for Preventing Falls in Housing Construction.



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Regulations 2012

S54—Management of risk of falling objects

A person conducting a business or undertaking at a workplace must manage, in accordance with Chapter 3 Part 1, risks to health and safety associated with an object falling on a person if the falling object is reasonably likely to injure the person.

S55—Minimising risk associated with falling objects

- (1) *This regulation applies if it is not reasonably practicable to eliminate the risk referred to in regulation 54.*
- (2) *The person conducting the business or undertaking at a workplace must minimise the risk of an object falling on a person by providing adequate protection against the risk in accordance with this regulation.*

**Maximum Penalties — Individual \$6,000
Business \$30,000**

- (3) *The person provides adequate protection against the risk if the person provides and maintains a safe system of work, including—*
 - (a) *preventing an object from falling freely, so far as is reasonably practicable; or*

(b) if it is not reasonably practicable to prevent an object from falling freely—providing, so far as is reasonably practicable, a system to arrest the fall of a falling object.

Examples—

- 1 Providing a secure barrier.
- 2 Providing a safe means of raising and lowering objects.
- 3 Providing an exclusion zone persons are prohibited from entering.

578 — Management of risk of fall

- (1) A person conducting a business or undertaking at a workplace must manage risks to health and safety associated with a fall by a person from one level to another that is reasonably likely to cause injury to the person or any other person.
- (2) Subregulation (1) includes the risk of a fall –
 - (a) In or on an elevated workplace from which a person could fall;
 - (b) In the vicinity of an opening through which a person could fall;
 - (c) In the vicinity of an edge over which a person could fall;
 - (d) On a surface through which a person could fall; or
 - (e) In any other place from which a person could fall.
- (3) A person conducting a business or undertaking must ensure, so far as is reasonably practicable, that any work that involves the risk of a fall to which subregulation (1) applies is carried out on the ground or on a solid construction
- (4) A person conducting a business or undertaking must provide safe means of access to and exit from –
 - (a) The workplace; and
 - (b) Any area within the workplace referred to in subregulation (2)
- (5) In the regulation, **solid construction** means an area that has—
 - (a) A surface that is structurally capable of supporting all persons and things that may be located or placed on it; and
 - (b) Barriers around its perimeter and any openings to prevent a fall; and
 - (c) An even and readily negotiable surface and gradient; and
 - (d) A safe means of entry and exit.

**Maximum Penalties — Individual \$6,000
Business \$30,000**

Fire and Emergency Evacuation

Policy

In accordance with the *Work Health and Safety Regulations 2012*, Bowley Plumbing has developed an emergency action plan and emergency procedures for workers, to deal with foreseeable emergencies.

Worker safety is the primary consideration above all else in the event of a fire or the need for an emergency evacuation.

Procedure

Management will ensure that there is a Fire and Emergency Plan for each workplace. This includes:

- A designated Assembly Area. Our designated Assembly Area is the footpath opposite the building/worksite (unless otherwise instructed);
- Provision of First Aid Kits and Fire Extinguishers; and
- Effective communication to coordinate an emergency response to all persons at the worksite.

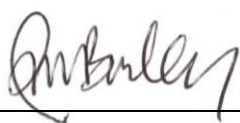
In the event that a worker discovers a fire, the following steps must be taken.

- Raise the alarm if able to do so;
- If safe and able to do so, fight fire with firefighting equipment;
- Assist persons in difficulty if/when safe to do so;
- Evacuate the area in an orderly manner without running;
- Do not return inside or near any building unless authorised to do so by an authority;
- If inside a building, remain as low to ground level as possible when evacuating (smoke tends to raise, and oxygen rich air will be close to the ground);
- When ordered to evacuate, do not waste time in collecting personal belongings or appliances; and
- Remain in the Assembly area until an authority advises that you can leave. This is to enable headcounts to be done to ensure that everyone is accounted for.

At any time, for any situation, if workers have evacuated an area, they must advise Management at the earliest possible time. An Incident Report Form must be completed in the event of a fire or emergency evacuation.

Fire Extinguishers

Work vehicles must be fitted with a Fire Extinguisher and a sign placed on the vehicle to indicate the presence of the emergency supplies. This Emergency equipment must never be removed unless it is being used for its proper purpose or being serviced.



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Regulation 2012

S43 — Duty to prepare, maintain and implement emergency plan

- (1) A person conducting a business or undertaking at a workplace must ensure that an emergency plan is prepared for the workplace, that provides for the following:
- (a) emergency procedures, including—
 - (i) an effective response to an emergency;
 - (ii) evacuation procedures;
 - (iii) notifying emergency service organisations at the earliest opportunity;
 - (iv) medical treatment and assistance; and
 - (v) effective communication between the person authorised by the person conducting the business or undertaking to coordinate the emergency response and all persons at the workplace;
 - (b) testing of the emergency procedures, including the frequency of testing;
 - (c) information, training and instruction to relevant workers in relation to implementing the emergency procedures.
- (2) A person conducting a business or undertaking at a workplace must maintain the emergency plan for the workplace so that it remains effective.
- (3) For the purposes of subregulation (1) and (2), the person conducting the business or undertaking must consider all relevant matters, including the following:
- (a) the nature of the work being carried out at the workplace;
 - (b) the nature of the hazards at the workplace;
 - (c) the size and location of the workplace; and
 - (d) the number and composition of the workers and other persons at the workplace.
- (4) A person conducting a business or undertaking at a workplace must implement the emergency plan for the workplace in the event of an emergency.

**Maximum Penalties — Individual \$6,000
Business \$30,000**

First Aid

Policy

Bowley Plumbing is committed to the provision of an effective system of first aid management to protect the health and safety of all workers, visitors, and clients as a requirement of the *Work Health and Safety Act 2012*.

Because of the nature of our industry, workers need to be aware of the requirements for managing first aid in the workplace.

Procedure

We will comply with our obligation to ensure that workers have access to first aid. Provision of First Aid kits is the responsibility of employers, which includes our company and all contractors.

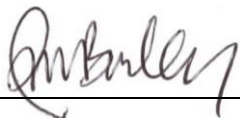
Work vehicles must be fitted with a Workplace First Aid kit and a sign to indicate that a First Aid kit is present. This kit must never be removed unless it is being used or if it is being serviced.

First Aid kits provided for vehicles/workplaces are to be checked to ensure that all items are present and have not deteriorated. Emergency numbers are included inside each lid. A record is to be kept of the quarterly checks.

An Incident Report Form must be completed and given to Management if a worker has received an injury. Once the Incident Report Form is received, Management must take corrective action in order to reduce the likelihood of this type of injury happening again (see Incident Reporting Policy).

In the case of an injury or illness, Management must be advised at the earliest opportunity. This duty is also the duty of a co-worker under the *Work Health and Safety Act 2012*.

Management or any other PCBU involved in the incident may decide that the Safe Work Procedure or the Safe Work Method Statement needs to be reviewed as a result of the incident.



Phillip Bowley
Director Dec 2022

Useful Links

<https://www.safework.sa.gov.au/>

This site links to the Code of Practice for First Aid.

References

Work Health and Safety Regulations 2012

S42 — Duty to provide first aid

(1) A person conducting a business or undertaking at a workplace must ensure—

- (a) the provision of first aid equipment for the workplace; and
- (b) that each worker at the workplace has access to the equipment; and
- (c) access to facilities for the administration of first aid.

**Maximum Penalties — Individual \$6,000
Business \$30,000**

(2) A person conducting a business or undertaking at a workplace must ensure that—

- (a) an adequate number of workers are trained to administer first aid at the workplace; or
- (b) workers have access to an adequate number of other persons who have been trained to administer first aid.

**Maximum Penalties — Individual \$6,000
Business \$30,000**

(3) For the purposes of this regulation, the person conducting the business or undertaking must have regard to all relevant matters, including the following:

- (a) the nature of the work being carried out at the workplace;
- (b) the nature of the hazards at the workplace;
- (c) the size and location of the workplace;
- (d) the number and composition of the workers and other persons at the workplace.

From the First Aid Code of Practice

A **remote workplace** is one that is more than a 20 minute drive away from an SA Ambulance station that is staffed by paid paramedics.

Examples of **high risk workplaces** include those that feature:

- (a) the **use** of hazardous **plant** (e.g. cranes, trucks, forklifts, tractors, power presses, vehicle hoists);
- (b) the regular **use** of hazardous/dangerous **substances** (e.g. chemical manufacture, horticulture, petrol stations and food manufacturing);
- (c) the **risk** of falls of over 2 metres (e.g. construction and stevedoring);
- (d) hazardous forms of work (e.g. working in **confined spaces**, welding, demolition and **abrasive blasting**);
- (e) several factors that create a greater than usual **risk** of physical violence or armed robbery (e.g. working alone, working at night, cash handling, when the design of the **workplace** offers little or no protection from attack, having clients who are frequently physically aggressive); and
- (f) working in or around extreme heat (foundries, glass works, food manufacturing, commercial kitchens, prolonged outdoor work in extreme temperatures).

Hazard Management

Including Hazard Identification, Risk Assessment, Risk Control

Policy

Bowley Plumbing is committed to identifying work hazards and reducing or eliminating risks to the health and safety of its workers by implementing Hazard Identification programs, Risk Assessments and Risk Control systems.

It is our policy that worker safety is paramount. In the event that a worker feels unsafe and is unable to put adequate controls in place then they should stop work.

Hazards/Risks

Hazards and risks are very distinctive from one another. Hazards are often all around us; they form part of our daily life and if they are identified and managed effectively, they may not cause a risk of injury or illness to an individual. Risk on the other hand is the result of being exposed to a hazard.

Procedure

Hazard Identification

The following methods may be used to identify hazards:

- Inspections of worksite;
- Incident Reports;
- Worker consultation and feedback, including Toolbox meetings;
- Plant and equipment checks, information and manuals; and
- Safe Work Procedures or Safe Work Method Statements.

Hazard Identification for the worksite

Hazards, no matter how minor, must be dealt with immediately. The *Work Health and Safety Act 2012* requires workers to make an area safe if they encounter a situation which may pose a risk to themselves or to others.

When a hazard has been identified, the following steps must be taken:

- Make the area safe, warn others or block off the area to stop others from entering;
- Take steps to eliminate the hazard;
- Fill in the Incident Report Form, outlining the actions taken to eliminate the hazard;
- Incident Report Forms must be handed to Management at the earliest possible opportunity; and
- Copies of completed forms must be provided to Management who will check that appropriate actions have been taken.

Management may decide that the Safe Work Procedure or the Safe Work Method Statement needs to be reviewed as a result of the incident.

If at any time for any reason, a worker feels unsafe and is unable to put adequate controls in place then they must stop work immediately and contact Management. It is never acceptable to work under any circumstance where there is uncertainty about safety.

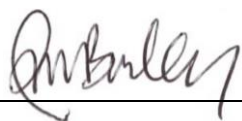
Summary of steps

- Hazard is identified;
- Make area as safe as possible immediately;
- Determine what level of risk there is to other workers or the public;
- Take steps to control the risk;
- Document the hazard identified and the actions taken; and
- If hazard is unable to be eliminated or easily controlled, Management must be involved in undertaking a risk assessment and implementing risk controls (see attached information at the end of this policy).

Forms

The following forms are used for ensuring compliance:

- Worksite Safety Checklist;
- Incident Report Form; and
- Risk Rating Matrix.



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Regulations 2012

S35 — Managing risks to health and safety

A duty holder, in managing risks to health and safety, must—

- (a) eliminate risks to health and safety so far as is reasonably practicable; and*
- (b) if it is not reasonably practicable to eliminate risks to health and safety—minimise those risks so far as is reasonably practicable.*

S36 — Hierarchy of control measures

- (1) This regulation applies if it is not reasonably practicable for a duty holder to eliminate risks to health and safety.*
- (2) A duty holder, in minimising risks to health and safety, must implement risk control measures in accordance with this regulation.*
- (3) The duty holder must minimise risks, so far as is reasonably practicable, by doing 1 or more of the following:*
 - (a) substituting (wholly or partly) the hazard giving rise to the risk with something that gives rise to a lesser risk;*
 - (b) isolating the hazard from any person exposed to it;*
 - (c) implementing engineering controls.*
- (4) If a risk then remains, the duty holder must minimise the remaining risk, so far as is reasonably practicable, by implementing administrative controls.*
- (5) If a risk then remains, the duty holder must minimise the remaining risk, so far as is reasonably practicable, by ensuring the provision and use of suitable personal protective equipment.*

Work Health and Safety Act 2012**S35 — What is a notifiable incident**

A notifiable incident means:

- (a) the death of a person;
- (b) a serious injury or illness of a person; or
- (c) a dangerous incident.

S36 — What is a serious injury or illness

Serious injury or illness of a person means an injury or illness requiring the person to have—

- (a) immediate treatment as an in-patient in a hospital; or
- (b) immediate treatment for—
 - (i) the amputation of any part of his or her body;
 - (ii) a serious head injury;
 - (iii) a serious eye injury;
 - (iv) a serious burn;
 - (v) the separation of his or her skin from an underlying tissue (such as degloving or scalping);
 - (vi) a spinal injury;
 - (vii) the loss of a bodily function; or
 - (viii) serious lacerations;
- (c) medical treatment within 48 hours of exposure to a substance, and includes any other injury or illness prescribed by the regulations but does not include an illness or injury of a prescribed kind.

S37 — What is a dangerous incident

Dangerous incident means an incident in relation to a workplace that exposes a worker or any other person to a serious risk to a person's health or safety emanating from an immediate or imminent exposure to—

- (a) an uncontrolled escape, spillage or leakage of a substance; or
 - (b) an uncontrolled implosion, explosion or fire; or
 - (c) an uncontrolled escape of gas or steam; or
 - (d) an uncontrolled escape of a pressurised substance; or
 - (e) electric shock; or
 - (f) the fall or release from a height of any plant, substance or thing; or
 - (g) the collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorised for use in accordance with the regulations; or
 - (h) the collapse or partial collapse of a structure; or
 - (i) the collapse or failure of an excavation or of any shoring supporting an excavation; or
 - (j) the inrush of water, mud or gas in workings, in an underground excavation or tunnel; or
 - (k) the interruption of the main system of ventilation in an underground excavation or tunnel; or
 - (l) any other event prescribed by the regulations,
- but does not include an incident of a prescribed kind.

S38 — Duty to notify of notifiable incidents

A person who conducts a business or undertaking must ensure that the regulator is notified immediately after becoming aware that a notifiable incident arising out of the conduct of the business or undertaking has occurred.

**Maximum Penalties — Individual \$10,000
Business \$50,000**

S39 — Duty to preserve incident site

The person with management or control of a workplace at which a notifiable incident has occurred must ensure so far as is reasonably practicable, that the site where the incident occurred is not disturbed until an inspector arrives at the site or any earlier time that an inspector directs.

**Maximum Penalties — Individual \$10,000
Business \$50,000**

Risk Assessments

A Risk Assessment generally follows a Hazard Identification. The Risk Assessment shall be conducted by the Director/Manager/Employer when s/he is present or by his/her nominee. Risk Assessments will be conducted using the following criteria:

- Consequences: What are the likely outcomes from exposure?
 Number of people: How many people are exposed to the hazard?
 Exposure: How often are workers exposed to the hazard?
 Probability: What is the probability of the hazard causing injury/illness or loss as a result of the exposure?

When conducting Risk Assessments, consideration should be given to all relevant legislation, Codes of Practice, Australian Standards or Industry Standards relevant to the industry.

Risk Controls

It is the responsibility of the Director/Manager/Employer or nominee to develop action plans in order to ensure that risks are controlled.

A simple process can be used to determine the best method to eliminate or at least reduce the risk. The aim is to look at eliminating the risk all together if possible. As this may not always be possible, it is important to then look at substitution and so forth until the last and least recommended option - the provision of personal protective equipment. The table below will assist in this determination.

1. Elimination	Can the risk be totally eliminated?
2. Substitution	Can the process or task be substituted by one with a lower risk?
3. Engineering	Can the risk be guarded, enclosed, isolated or modified to reduce the risk?
4. Administrative	Can written procedures, signs and or training be used to reduce the risk?
5. Personal Protective Equipment (PPE)	Can PPE reduce the exposure to a risk?

More often than not, a combination of controls may be necessary to effectively minimise risks or at least lower the exposure to the risks.

The maintenance of appropriate records of the methodology used to eliminate or reduce risks must be kept and reviewed.

Work Health and Safety Regulations 2012

Penalties

Duty Holder	Category 1	Category 2	Category 3
Individual worker or other person at the workplace	\$300,000 or 5 yrs imprisonment	\$150,000	\$50,000
Individual PCBUs or Officers	\$600,000 or 5 yrs imprisonment	\$300,000	\$100,000
Body Corporate, business	\$3,000,000	\$1,500,000	\$500,000

Category 1 – reckless conduct that exposes an individual to a risk of death or serious injury or illness that is engaged in without reasonable excuse.

Category 2 – failure to comply with a health and safety duty that exposes an individual to a risk of death or serious injury or illness.

Category 3 – failure to comply with a health and safety duty.

Hazardous Substances and Dangerous Goods

Including storage of flammable or combustible substances

Policy

It is the policy of *Bowley Plumbing* to fully comply with all relevant laws and legislation pertaining to the handling, use and storage of Hazardous Substances and Dangerous Goods.

We understand that all Hazardous Substances and Dangerous Goods are handled, used and stored in compliance with federal and state laws and regulations.

For the purposes of this policy, Hazardous Substances and Dangerous Goods will be treated similarly.

Definitions

Hazardous Substances are those which have potentially adverse effects on human health. Those adverse effects may be serious but are often not immediately recognisable.

Dangerous Goods are substances or articles that present an immediate hazard to people, property or the environment because of their physical, chemical, or acutely toxic properties. Criteria for determining whether substances are classified as Dangerous Goods are contained in the Australian Dangerous Goods Code (ADG Code).

Flammable and combustible material includes:

- Flammable and combustible liquids, including waste liquids, in containers, whether empty or full; and
- Gas cylinders, whether empty or full.

Procedure

Hazardous Substances and Dangerous Goods will only be used in accordance with the manufacturer's recommendations and within guidelines established by relevant Codes of Practice and Regulations. Specifically, the following checklist will be adopted by Management and all workers:

- Select the safest product that will do the job;
- Obtain a current (less than 5 years old) SDS from the supplier;
- Follow all safety, storage, clean up and disposal-related information provided on the SDS;
- Prepare and maintain a register of all the Hazardous Substances and Dangerous Goods used at the worksite;
- Assess the risks to health created by work that involves potential exposure to Hazardous Substances and Dangerous Goods;
- Minimise the quantities stored onsite or carried in vehicles;
- Consider atmospheric monitoring if necessary;
- Have the emergency plan ready and displayed;
- Ensure emergency equipment is close by; and

- Ensure all staff have proper training and induction in regard to Hazardous Substances and Dangerous Goods.

Hazardous Substances or Dangerous Goods will be stored in their original labelled containers where possible and SDS documentation will be stored with the substances at all times.

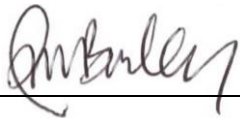
Where Hazardous Substances or Dangerous Goods are stored in containers other than in their original packaging, such packages and containers will be clearly marked and the substances within these containers will be clearly identified.

Containers of Hazardous Substances or Dangerous Goods will be disposed of in a responsible manner and out of reach of children.

Useful Links

<https://www.safework.sa.gov.au/workplaces/chemicals-substances-and-explosives/hazardous-chemicals>

This site has a 2-page fact sheet which outlines the process for management of Hazardous Substances.



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Regulations 2012

S328 – Application of Chapter 7 Part 1 i.e. Hazardous chemicals

S329 – Classification of hazardous chemicals

Maximum Penalties — Individual \$6,000

Business \$30,000

Incident Reporting

Including hazards, near misses and injuries

Policy

Bowley Plumbing is committed to ensuring the health and safety of its workers, and to complying with all relevant aspects of the *Work Health and Safety Act 2012*. To that end, Management requires all workers to report any incident or situation that could pose a hazard to any other worker, client or member of the public.

It is our policy that all incidents resulting in personal injury, plant and equipment damage (regardless of whether the plant and equipment belongs to a contractor or the business) or any damages caused to a client's premises be reported to Management as soon as possible.

The reporting of incidents and near misses is critical for the health and safety of workers and for the correct management of hazards in the workplace. Appropriate records will be kept in order to inform Management of any possible trends or issues that they need to be aware of in order to plan appropriate Health and Safety responses.

Procedure

Hazard, near-miss and injury reporting

Whenever a hazard is identified, a near-miss occurs, or a person is injured, an Incident Report Form **must** be filled in and given to Management. The form will identify the hazard itself, the immediate action taken to make the area safe, and a recommendation for any further action that needs to be taken.

As soon as possible after a hazard has been identified an investigation must be undertaken. Management will note the corrective actions (controls) taken to date and, after consultation with workers, put in place any other responses that are needed in order to minimise or eliminate the hazard.

Notifiable Incidents (see also Notifiable Incidents Policy)

Some workplace incidents or accidents are deemed to be immediately notifiable incidents to Safework SA. Failure to inform Safework SA of a notifiable incident carries a penalty. Generally, notifiable incidents are those belonging to the following categories:

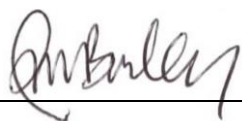
- Where death has occurred;
- Where a person was admitted as an inpatient into a private or public hospital; or
- Where the incident involves exposure to dangerous goods or hazardous substances.

The site must be preserved when a notifiable incident has occurred until a SafeWorkSA inspector arrives at the site or at any other time that an inspector may direct.

Forms

- Incident Report Form
- ReturnToWorkSA Claim Form, available at: <https://www.rtwsa.com/>

SafeworkSA , Notifiable Incident Form, available at
<https://www.safework.sa.gov.au/notify/workplace-incident>



Phillip Bowley
Director Dec 2022

Useful Links

<https://www.rtwsa.com/>

The website contains links and information pertaining to work injuries. It replaces Workcover.

References

Work Health and Safety Regulations 2012

S35 — Managing risks to health and safety

A duty holder, in managing risks to health and safety, must—

- (a) eliminate risks to health and safety so far as is reasonably practicable; and*
- (b) if it is not reasonably practicable to eliminate risks to health and safety—minimise those risks so far as is reasonably practicable.*

S36 — Hierarchy of control measures

- (6) This regulation applies if it is not reasonably practicable for a duty holder to eliminate risks to health and safety.*
- (7) A duty holder, in minimising risks to health and safety, must implement risk control measures in accordance with this regulation.*
- (8) The duty holder must minimise risks, so far as is reasonably practicable, by doing 1 or more of the following:*
 - (a) substituting (wholly or partly) the hazard giving rise to the risk with something that gives rise to a lesser risk;*
 - (b) isolating the hazard from any person exposed to it;*
 - (c) implementing engineering controls.*
- (9) If a risk then remains, the duty holder must minimise the remaining risk, so far as is reasonably practicable, by implementing administrative controls.*
- (10) If a risk then remains, the duty holder must minimise the remaining risk, so far as is reasonably practicable, by ensuring the provision and use of suitable personal protective equipment.*

Work Health and Safety Act 2012

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- (b) immediate treatment for—*
 - (i) the amputation of any part of his or her body;*
 - (ii) a serious head injury;*
 - (iii) a serious eye injury;*
 - (iv) a serious burn;*
 - (v) the separation of his or her skin from an underlying tissue (such as degloving or scalping);*

- (vi) a spinal injury;
- (vii) the loss of a bodily function; or
- (viii) serious lacerations;

(c) medical treatment within 48 hours of exposure to a substance, and includes any other injury or illness prescribed by the regulations but does not include an illness or injury of a prescribed kind.

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- (d) an uncontrolled escape of a pressurised substance; or
- (e) electric shock; or
- (f) the fall or release from a height of any plant, substance or thing; or
- (g) the collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorised for use in accordance with the regulations; or
- (h) the collapse or partial collapse of a structure; or
- (i) the collapse or failure of an excavation or of any shoring supporting an excavation; or
- (j) the inrush of water, mud or gas in workings, in an underground excavation or tunnel; or
- (k) the interruption of the main system of ventilation in an underground excavation or tunnel; or
- (l) any other event prescribed by the regulations,

but does not include an incident of a prescribed kind.

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A person who conducts a business or undertaking must ensure that the regulator is notified immediately after becoming aware that a notifiable incident arising out of the conduct of the business or undertaking has occurred.

**Maximum Penalties — Individual \$10,000
Business \$50,000**

S39 — Duty to preserve incident site

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**Maximum Penalties — Individual \$10,000
Business \$50,000**

Induction and Training

Policy

Bowley Plumbing is aware of the duties of the employer as outlined within the *Work Health and Safety Act 2012*. The primary duty of a PCBU is to provide a safe system of work and part of that system of work is providing induction and training.

To this end, the business is committed to ensuring its workers receive all necessary induction, information, instruction, training and supervision necessary in order for those workers to be able to complete their duties in an environment that is safe from injury and risk to health.

We require contractors to ensure that all their workers are properly inducted and are able to demonstrate their credentials to undertake work safely.

Procedure

We will ensure that it meets its obligations to provide adequate induction and training in the following manner:

Workers and contractors

All workers will receive a Work Health and Safety Induction which will include:

- Work Health and Safety policies and procedures;
- Explanation of hazard identification and reporting process;
- Explanation of injury reporting process;
- Identification of highest risks in the workplace;
- Worker's Handbook.

The Induction will cover:

- Any specific site hazards and risk control measures involved in carrying out the work;
- Regulatory requirements of codes of practice relevant to any specific hazards;
- Site orientation including safe access/egress, location of amenities, first aid, security arrangements;
- Site specific safety rules or procedures including notification of changes to the work site;
- On-site consultation and reporting arrangements and details; and
- Accident and emergency procedures and associated equipment.

Workers

All workers will be inducted prior to commencing work and this Induction will include:

- Familiarisation with general HR policies;
- Review of Position Description;
- Review of Employment Contract;
- Explanation of how the worker's job fits into business operations;
- Review the salary and other benefits; and
-

- An orientation to the worker's local work area, including vehicles, equipment, storage arrangements etc.

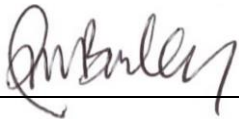
Training

Workers are encouraged to attend training from time to time in order to build their skill and knowledge base. The training needs of the workers can be established through:

- The Director/Manager becoming aware of relevant courses;
- A need which arises from a workplace hazard or incident; and
- Yearly performance appraisals.

Forms

- Induction checklist



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Regulations 2012

S39 — Provision of information, training and instruction

- (1) *This regulation applies for the purposes of section 19 of the Act to a person conducting a business or undertaking.*
- (2) *The person must ensure that information, training and instruction provided to a worker is suitable and adequate having regard to—*
 - (a) *the nature of the work carried out by the worker;*
 - (b) *the nature of the risks associated with the work at the time the information, training or instruction is provided; and*
 - (c) *the control measures implemented*
- (3) *The person must ensure, so far as is reasonably practicable, that the information, training and instruction provided to a worker is provided in a way that is readily understandable by any person to whom it is provided.*

**Maximum Penalties — Individual \$6,000
Business \$30,000**

Industrial Relations

Policy

It is the policy of *Bowley Plumbing* to operate our business in a manner that provides and preserves a harmonious place of work for all our workers within the bounds of the relevant agreements and awards, and where all levels of management are focused on ensuring that all work is carried out with minimal disruption and with maintained industrial harmony.

Bowley Plumbing is aware that under the *Fair Work Act 2009*, certain officials have Right of Entry to the workplace. This Right of Entry includes enquiring about safety matters at the worksite.

Procedure

We consider that the good management of industrial relations is an important aspect of our business. To achieve this, we will:

- Provide a safe and harmonious working environment which is conducive to keeping our workers content and achieving our operational goals;
- Comply with all applicable industrial laws, regulations, statutory obligations, award, agreements and National and State codes of practice and guidelines;
- Develop and improve the skills of workers to enable them to work efficiently in a constantly evolving environment and to strive to reach their maximum potential.

All levels of Management will:

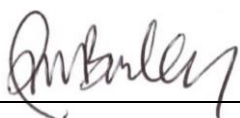
- Provide fair and reasonable management of industrial issues;
- Maintain an open relationship with our workers, any elected representatives, and other interested parties;
- Apply all policies and procedures in an equitable and fair manner regardless of position;

Union officials seeking to enter the worksite must produce an appropriate entry permit from the Fair Work Commission.

Useful Links

<https://www.fairwork.gov.au/tools-and-resources/fact-sheets/rights-and-obligations/right-of-entry>

This site has information about the obligations of all parties in relation to “Right of Entry”.



Phillip Bowley
Director Dec 2022

IT, Phones and Social Media

Policy

It is the policy of *Bowley Plumbing* that all information technology is used in a manner which reflects the professional and ethical standards of our business. Workers must be aware that in relation to comments made through social media they are subject to the provisions of the *Defamation Act 2005*, and the *Privacy Act 1988*.

Definition

This policy covers phones, all computing technology facilities, including hardware, software, data bases, internet, electronic mail, text messaging, MMS and the like. Social Media sites include (but are not limited to) Facebook, Twitter, Instagram and blogs.

Procedure

Phones generally

Use of phones during work hours is not permitted unless it is in a scheduled break.

Social Media

Use of social media during work hours is not permitted unless it is during a scheduled break.

All workers need to be aware that even in a private capacity they must not post any information about our company clients, or staff as it could be an offence under the *Defamation Act 2005* or a breach of the *Privacy Act 1988*.

Workers must realise that the normal laws of defamation apply to social media and they could be held criminally liable for offensive material being posted to social media.

Posting identifying information about clients or information which reflects negatively on our business will be considered to be a serious breach of this policy and the Code of Conduct and may result in disciplinary action.

Non-compliance with any aspect of this policy could result in disciplinary action being taken. In the event of our business being compromised due to breaches by workers of this policy it will be considered to be serious and wilful misconduct and could result in instant dismissal.

Office IT

All computer equipment must be located in physically secured areas. IT equipment such as laptops and mobile phones must never be left unsecured, for example, in open view in a car or at the worksite.

Any changes to user access and the installation, re-configuration, relocation or disposal of IT equipment, systems and software can only be authorised by Management.

Internet and email facilities are provided for the purpose of business communication, research and other legitimate business purposes that are related to the position the worker holds. Office workers are permitted reasonable private use of office IT equipment but must seek approval prior to use.

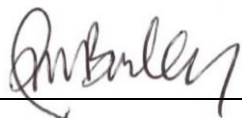
Management reserves the right to monitor or audit office workers' usage of both internet and email facilities. Management may access internet and email logs, including when worker compliance becomes an issue of concern.

Improper usage of the internet or email by a worker may pose a threat to our security, the privacy of other workers and also our legal obligations. As a result, any programs, information or files downloaded from the internet or email must be scanned for viruses prior to being opened or stored on any computer/equipment on the network.

Electronic messages are formal business communication and have the same legal status as letters, memos and other printed communication. Both hard copies and electronically stored copies of email communication are subject to the laws of discovery, defamation, libel, harassment, copyright and privacy.

The following activities are prohibited when using internet or email facilities:

- Sending, receiving, downloading, displaying, printing or otherwise disseminating material that is sexually explicit, harassing, discriminatory, fraudulent, offensive, or defamatory;
- The unauthorised transmission of confidential information;
- Logging on using someone else's password;
- The playing of games within working hours;
- Forwarding chain emails;
- Using or copying software in violation of license agreements or copyright;
- Violating any state, federal or international law;
- Excessive use of the internet or email for personal business or private purposes; and/or
- Engaging in online chat groups or real-time exchange.



Phillip Bowley
Director Dec 2022

References

Defamation Act 2005

The Privacy Act 1988 – 13 Australian Privacy Principles

Principle 1 – Open and transparent management of personal information

An entity must manage personal information in an open and transparent way.

Principle 2 – Anonymity and pseudonymity

Individuals must have the right to identify themselves via pseudonym unless prohibited by law or unless it is impracticable for the entity to deal with individuals who have used a pseudonym.

Principle 3 – Collection of personal information

Personal information may only be collected that is relevant for the function of the entity.

Principle 4 – Dealing with unsolicited personal information

Information that an entity receives about a person that is unsolicited must deal with that information in specific ways. Refer to the link above.

Principle 5 – Notification of the collection of personal information

The principle explains the obligations on the entity in the event that personal information is collected that the person may not know about.

Principle 6 – Use or disclosure of personal information

Relates to the requirement for personal information to not be disclosed for any purpose other than that for which it was given. (unless consent has been gained)

Principle 7 – Direct marketing

An entity may not use personal information for direct marketing. However there are exceptions. Refer to the link for more information.

Principle 8 – Cross-border disclosure of personal information

Before passing on personal information to an overseas recipient steps must be taken to ensure that the recipient does not breach the Australian Privacy Principles.

Principle 9 – Adoptions, use or disclosure of government related identifiers

An organisation must not adopt a government related identifier of an individual as its own identifier of the individual unless certain criteria are met.

Principle 10 – Quality of personal information

An entity must take steps to ensure that the personal information that they hold is accurate, up to date and complete.

Principle 11 – Security of personal information

Steps must be taken to keep the information secure from loss, misuse or unauthorised access. When information is no longer needed it should be destroyed or de-identified.

Principle 12 – Access to personal information

If an entity holds personal information about a person, the entity must give the individual access to the information.

Principle 13 – Correction of personal information

If an entity holds personal information they must take reasonable steps to ensure that that information is accurate, up to date, complete, relevant and not misleading.

For more information on the National Privacy Principles, see the [National Privacy Principles guidelines](#), issued by the Office of the Federal Privacy Commissioner. The full text of the NPPs can be found at the Federal Privacy Commissioner's website: <http://www.privacy.gov.au/>

Leave

Policy

All workers of *Bowley Plumbing* will be entitled to a range of Leave provisions as outlined in their relevant Award and in accordance with the National Employment Standards (NES). We recognise that Leave is an important entitlement and as such will attempt to approve Leave at times that suit workers. However, the continuing operation of our business will be a consideration in that decision.

Management will inform workers if there are periods of high-volume work when leave is not able to be taken.

Annual shutdown may happen over the Christmas/New Year period. Employees eligible to take Annual Leave must use their annual leave during this period.

Leave entitlements include the following:

Permanent Workers:

- Paid Annual Leave, Personal Leave, Compassionate Leave, Long Service Leave and Parental Leave, Family; and
- Domestic Violence Leave.

Casual Workers:

- Long Service Leave; and
- Unpaid Domestic Violence Leave.

Procedure

In the event of Leave for Sickness, Carer's or Compassionate Leave, workers must speak in person with Management. **Text messages and voicemail messages are not acceptable.** Workers must advise Management as early as possible about their intended absence. This enables our business to take steps to ensure continuity of service to clients.

For all forms of Leave (other than Annual Leave and Long Service Leave) workers may be required to substantiate the reason for their Leave for any part of any day. Documentation may take the form of a doctor's certificate, death/funeral notice or verbal confirmation from a mutually trusted person. Failure to provide substantiation may result in the worker's Leave not being approved and a loss of pay.

It is never acceptable to plan/book a holiday or activity assuming that Leave will be approved. If several workers request time off to attend an event or activities on the same day then priority will be given to the worker who has provided the earliest request on the appropriate form.

Annual Leave

Because of the nature of this industry, Annual Leave will be taken by workers when it is least disruptive to the business. This means that Annual Leave will usually be taken during "low work" period. Whilst individual needs of workers will be considered by management, it is solely at the discretion of Management as to when Annual Leave is taken.

Annual Leave is not able to be accumulated from year to year without the express approval of Management and only then under exceptional circumstances. The normal period of Annual Leave is four weeks plus any Public Holidays which fall during the period of Leave.

Procedure for Annual Leave

An application form for Annual Leave must be completed and approved prior to the leave being taken.

Paid Personal/Carer's Leave

Personal or Carer's Leave is designed to help eligible workers deal with personal illness, caring responsibilities, family emergencies and the death or serious illness of close family members.

Eligible workers are entitled to take up to 10 days per year of Personal Leave. This Leave accrues progressively during the year and can accumulate from year to year.

Eligible workers may take paid Personal/Carer's Leave:

- If they are unfit for work because of their own personal illness or injury; or
- To provide care or support to a member of their immediate family or household, because of a personal illness, injury or unexpected emergency affecting the member. A member of the worker's immediate family means a spouse, a de facto partner, child, parent, grandparent, grandchild or sibling of a worker, or a child, parent, grandparent, grandchild or sibling of the worker's spouse or de facto partner.

Procedure for paid Personal/Carer's Leave

*Workers must phone or speak in person with Management on each instance of requesting Personal/Carer's Leave. The phone call must be made prior to when the worker is expected at work. **Text messages and voicemail messages are unacceptable.***

- Workers may be required to substantiate the reason for their Leave for any part of any day

At the earliest possible time the appropriate forms must be lodged with the Director/Manager. Failure to lodge the appropriate forms may result in loss of pay or a delay of pay until such time as the forms are lodged.

Unpaid Carers Leave

Eligible workers are entitled to two days per annum Unpaid Carer's Leave. Evidence of the reason for the Leave must be provided to the Director/Manager. Unpaid Leave cannot be taken if there are any other Leave entitlements available.

Procedure for Unpaid Carers Leave

*Workers must phone or speak in person with Management on each instance of requesting Unpaid Carer's Leave. The phone call must be made prior to when the worker is expected at work. **Text messages or voicemail messages are unacceptable.***

At the earliest possible time the appropriate forms must be lodged with the Director/Manager. Failure to lodge the appropriate forms may result in loss of pay or a delay of pay until such time as the forms are lodged.

Compassionate Leave

Eligible workers are entitled to two days of paid Compassionate Leave to spend time with a member of their immediate family or household who has sustained a life-threatening illness or injury. Compassionate Leave may also be taken after the death of a member of the worker's immediate family or household.

Procedure for Compassionate Leave

*Workers must phone or speak in person with Management on each instance of requesting Compassionate Leave. **Text messages or voicemail messages are unacceptable.** Evidence of the event may be required by the Director/Manager.*

At the earliest possible time the appropriate forms must be lodged with the Director/Manager. Failure to lodge the appropriate forms may result in loss of pay or a delay of pay until such time as the forms are lodged.

Family and Domestic Violence Leave

All Employees (including casuals) are entitled to family and domestic violence leave.

Procedure for Unpaid Family and Domestic Violence Leave

*Workers must phone or speak in person with Management on each instance of requesting Unpaid Family and Domestic Violence Leave. The phone call must be made prior to when the worker is expected at work. **Text messages or voicemail messages are unacceptable.***

At the earliest possible time the appropriate forms must be lodged with the Director/Manager. Failure to lodge the appropriate forms may result in loss of pay or a delay of pay until such time as the forms are lodged.

Long Service Leave

Workers are entitled to Long Service Leave after a period of continuous service as per the Award. Whilst it is the worker's right to take Long Service Leave, it must be taken at a time that is reasonable for the employer.

Procedure for Long Service Leave

Management will attempt to approve all Long Service Leave requests for the dates requested. However, we reserve the right to consider the likely disruption to clients and colleagues.

Parental Leave

Eligible workers are entitled to unpaid Parental Leave if they have completed at least 12 months of continuous service. The provisions include birth-related Leave and adoption-related Leave and also recognises same sex de facto relationships.

The Leave must be associated with:

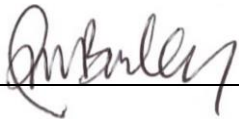
- The birth of a child to the worker, the worker's spouse/partner or
- The placement of a child under 16 with the worker for adoption.

Procedure for Parental Leave

Workers planning to take Parental Leave are required to provide 3 months' notice of their intent. This notice must be in writing on the appropriate form and lodged with the Director/Manager.

Useful Links

<https://www.fairwork.gov.au/employee-entitlements/national-employment-standards/fair-work-information-statement>. This site links to the Fair Work Information Statement which outlines the National Employment Standards for Permanent and Casual employees.



Phillip Bowley
Director Dec 2022

Out-of-Service Tags (Lock-Out Tags)

Policy

Bowley Plumbing will ensure the safety of workers and any other persons who may be exposed to injury due to equipment or machinery that is faulty.

Procedure

To ensure the health and safety of employees, we require all workers to comply with the following procedures.

Supply of Out-Of-Service Tags (Lock Out Tags)

- Management will ensure that a supply of Danger Tags and Out-of- Service-Tags is maintained in accessible locations;
- Management must ensure that all workers are trained in relation to this procedure and will monitor the corrective actions taken.

Out-Of-Service Tags

- Any worker who believes that an item of plant is faulty and/or unsafe to operate is to immediately place the equipment out of service;
- Out-of-Service Tags must be securely attached to an item of plant that is taken out of service because it is faulty and/or unsafe to operate by the person who observed the equipment to be faulty;
- Out-of-Service Tags must only be removed by Management or the person who attached the Tag once the initial reason for the placement of the Out-of-Service Tag no longer exists; and
- No person is permitted to use plant that is Out-of-Service.

All employees must comply with this policy or face disciplinary proceedings which could include termination of employment.

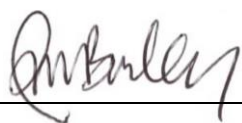
Forms

- Incident Report Form

Useful Links

<https://www.safework.sa.gov.au/workplaces/plant-tools-and-vehicles/isolation-procedures>

An information sheet can be downloaded from this SafeWork SA website.



Phillip Bowley
Director Dec 2022

References

Managing Risks of Plant in the Workplace, Safe Work Australia 2011

Work Health and Safety Regulations 2012

S36—Hierarchy of control measures

- (1) This regulation applies if it is not reasonably practicable for a duty holder to eliminate risks to health and safety.*
- (2) A duty holder, in minimising risks to health and safety, must implement risk control measures in accordance with this regulation.*
- (3) The duty holder must minimise risks, so far as is reasonably practicable, by doing 1 or more of the following*
 - (a) substituting (wholly or partly) the hazard giving rise to the risk with something that gives rise to a lesser risk;*
 - (b) isolating the hazard from any person exposed to it;*
 - (c) implementing engineering controls.*
- (4) If a risk then remains, the duty holder must minimise the remaining risk, so far as is reasonably practicable, by implementing administrative controls.*
- (5) If a risk then remains, the duty holder must minimise the remaining risk, so far as is reasonably practicable, by ensuring the provision and use of suitable personal protective equipment.*

Manual Handling

Policy

It is the policy of *Bowley Plumbing* to prevent the occurrence of injury and to reduce the severity of injuries resulting from manual handling tasks.

Manual handling is any activity involving the use of muscular force (or effort) to lift, move, push, pull, carry, hold or restrain any object. It covers more than lifting heavy weights and affects more than the back.

Procedure

We will ensure that all tasks involving manual handling are identified and assessed, and that measures to reduce the risk of injury due to manual handling are implemented.

All tasks will be examined to identify any of the following risk factors:

- Repetitive or sustained application of force, awkward postures or sustained movement;
- Application of high forces;
- Exposure to sustained vibration, or
- Manual handling of loads that are unstable, unbalanced, or difficult to hold.

We recognise that there is no maximum weight that a person may lift, and that in assessing whether a lift could be harmful, all factors which could make the task hazardous are identified and their impacts assessed. However, in line with SafeworkSA recommendations, it is our policy to ensure that where practicable, any weights over 16-20kg are subject to a Safe Work Procedure which must be followed.

Workers are required to follow all implemented work procedures to reduce risk of musculoskeletal injury, and to report any manual handling risks that they may encounter in their tasks. The following procedures should be followed when engaging in manual handling tasks.

Lifting technique — Assess the load

- What is the best method to move the load?
- Do you need someone to assist?
- Is there a mechanical aid available? (e.g. ramps, trolley etc)
- Can it be divided into smaller loads?
- Is the pathway clear?

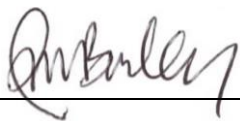
How to lift

- Keep spine in a neutral position (i.e. s-shaped curve);
- Keep a wide base of support;
- Ensure you are balanced;
- Bend at your knees and hips;
- Brace your abdominal muscles;
- Keep the object close to you;
- Push up with your legs and avoid twisting.

Useful Links

<https://www.safeworkaustralia.gov.au/doc/model-code-practice-hazardous-manual-tasks>

This site contains the Code of Practice for Manual Handling. The Code is dated 2006 but is on the website as the current approved Code.



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Regulations 2012

S60 — Managing Risks to health and safety

- (1) A person conducting a business or undertaking must manage risks to health and safety relating to a musculoskeletal disorder associated with a hazardous manual tasks
- (2) In determining the control measures to implement under subregulation (1), the person conducting the business or undertaking must have regard to all relevant matters that may contribute to a musculoskeletal disorder including:
 - (a) Postures, movements, forces and vibration relating to the hazardous manual task; and
 - (b) The duration, frequency of the hazardous tasks; and
 - (c) Workplace environmental conditions that may affect the hazardous manual task of the worker performing it; and
 - (d) The design of the work area; and
 - (e) The layout of the workplace; and
 - (f) The systems of work used; and
 - (g) The nature, size, weight or number of persons, animals or things involved in carrying out the hazardous manual tasks

**Maximum Penalties — Individual \$6,000
Business \$30,000**

Motor Vehicles (company)

Policy

Motor vehicles may be provided by *Bowley Plumbing* for use by relevant workers for business purposes. These company vehicles must only be driven by an authorised worker and are not available for private use by workers unless specifically stated in their Employment Contract.

Workers need to be mindful of the fact that when they are in a company vehicle they are:

- In a workplace and are therefore responsible for the safety of others; and
- Representing the business and as such must abide by the general conditions for use and the Code of Conduct at all times.

Procedure

The vehicles will be maintained and serviced by Management on a regular basis. However, on a regular basis as directed, the driver must check petrol, oil, window washing water, tyres, lights, indicators and battery as per the Checklist provided.

Workers must report any problems with the vehicle to Management as the vehicle is a work place (according to *The Work Health and Safety Act 2012*) and as such it must be safe. Because the vehicle is a workplace, the driver has a responsibility to ensure the safety of the occupants of the vehicle. This means that the vehicles must always be driven defensively and with caution.

General Conditions for Vehicle Use

All workers are required to comply with the general conditions with respect to the use of all types of vehicles. Failure to do so could result in disciplinary action being taken. The general conditions of use are:

- To secure pool vehicles on the premises when not in use. These vehicles are not to be garaged at a worker's home overnight, unless prior approval has been granted;
- To drive the motor vehicle only if the worker holds an appropriate, current and valid driver's licence;
- To fill in the Log Book as per procedure;
- To ensure that the motor vehicle is maintained in a clean and satisfactory condition both inside and out;
- To ensure that the provisions of any insurance policy relating to the motor vehicle are observed;
- To ensure that the motor vehicle is not driven by anyone else other than the authorised driver;
- To pay all parking and traffic infringement penalties relating to the use of the motor vehicle;
- To ensure that the motor vehicle is securely locked when left unattended and that any alarm system fitted to the motor vehicle is turned on;
- To observe all road and traffic laws;
- To store equipment securely and as instructed;
- Not to fit any accessories, stickers or any other attachments to the motor vehicle without prior approval of Management;
- Not to smoke, or allow any other person to smoke in the motor vehicle;

- Not to drive the motor vehicle, or allow others to drive the motor vehicle, if drugs or alcohol have been consumed; and
- Not to allow the vehicle to be used for instructing a learner driver.

A breach of any of this policy may result in disciplinary action depending on the nature and circumstances of the breach.

Workers MUST advise Management if they are charged with any motor offence, including speeding.

Garaging a Vehicle

There may be a requirement for an employee to garage a vehicle. If this occurs, the vehicle must only be used for work purposes in addition to coming to and from the work place. It must not be used for private purposes unless it is an emergency.

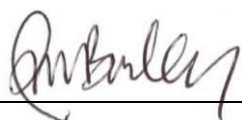
Under no circumstances may a family member or friend drive a work vehicle.

Accidents and Incidents

In the event of an accident the worker must exchange details with the other driver as per the law. Workers are to note the other driver's details, including name, address, contact numbers and vehicle details, together with the names and details of any witnesses.

If the accident/incident involved a personal injury, Management must be advised at the earliest opportunity and an Incident Report Form completed.

If any worker is involved in a motor vehicle accident or incident as a result of alcohol consumption, unlawful drug taking or negligence/recklessness, the worker will be responsible for paying any excess on the motor vehicle insurance policy and any other amount not covered by the insurance policy as a result of their actions. Depending on the nature and severity of the incident, the worker may also be subject to disciplinary action and possible termination of employment.



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Act

S8—Meaning of workplace

- (1) A workplace is a place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work.
- (2) In this section, **place** includes—
 - (a) a vehicle, vessel, aircraft or other mobile structure; and
 - (b) any waters and any installation on land, on the bed of any waters or floating on any waters.

Motor Vehicles (private)

Policy

Employees may be required to use their own motor vehicle from time to time. It is the policy of *Bowley Plumbing* that employees travel safely and legally when on duty.

Procedure

All employees who use their own vehicles are required to comply with the general conditions of use of private motor vehicles for work purposes. Failure to do so could result in disciplinary action being taken.

General conditions for vehicle use

Employees must agree/adhere to the following conditions:

- They must hold a current and valid Driver's Licence;
- Not to drive the vehicle unless it is insured via a Comprehensive Policy;
- Ensure that the insurance company is aware that the vehicle is being used for work purposes;
- To ensure that the provisions of any insurance policy relating to the motor vehicle are observed;
- To pay all parking and traffic infringement penalties relating to the use of the motor vehicle;
- Not to smoke in the motor vehicle if any other person is present;
- To indemnify and keep the Employer indemnified in the event of an accident, theft or any other damage to the vehicle;
- Not to drive the motor vehicle, or allow others to drive the motor vehicle, if drugs or alcohol have been consumed; and
- To observe all road and traffic laws accordingly.

Any employee intending to use their own vehicle for work purposes must:

- Provide Management with a copy of their Driver's Licence to demonstrate currency;
- Provide Management with evidence of the motor vehicle having comprehensive insurance;
- Provide Management with evidence of having advised their insurance company that the car may be used for work purposes from time to time;
- Sign an Indemnity Statement.

A breach of any of these requirements may result in disciplinary action depending on the nature and circumstances of the breach.

Accidents and Incidents

In the event of an accident involving another vehicle or a person, employees are to obtain the other driver's details, including name, address, contact numbers and vehicle details, together with the names and details of any witnesses.

Employees must never admit liability or guilt – this is determined by the appropriate judicial or insurance bodies following an investigation of the facts.

Employees should report any collision damage, theft or other incident to Management at the earliest opportunity to assist in ensuring the safety of the employee, determining liability, and to enable insurance matters to be finalised.

If the accident/incident involved a personal injury, Management must be advised at the earliest opportunity and after ensuring that any urgent medical needs have been met, an Incident Report Form must be completed.

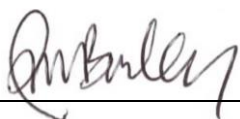
If any employee is involved in a motor vehicle accident or incident as a result of alcohol consumption, unlawful drug taking, negligence and/or recklessness, the employee may be subject to disciplinary action and possible termination of employment.

Reimbursement

If the employee uses their own vehicle for work purposes mileage is payable at the Award-based rate.

Forms

- Mileage Claim Form



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Act 2012

58—Meaning of Workplace

(1) A workplace is a place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work.

(2) In this section, **place** includes—

(a) a vehicle, vessel, aircraft or other mobile structure; and

(b) any waters and any installation on land, on the bed of any waters or floating on any waters.

Notifiable Incidents

See also Incident Reporting

Policy

Some workplace incidents are considered to be notifiable to SafeworkSA and *Bowley Plumbing* is committed to ensuring that such incidents are notified as per the *Work Health and Safety Act 2012* and the *Work Health and Safety Regulations 2012*.

Definitions

A **serious injury or illness** of a person means an injury or illness requiring the person to have immediate treatment in hospital, or injuries such as burns, spinal injury or amputation. (See References for a detailed definition)

A **dangerous incident** means an incident in relation to a workplace that exposes a worker or any other person to a serious risk to a person's health or safety emanating from an immediate or imminent exposure to electric shock, uncontrolled spillage, explosion or fire, or collapse of a structure. (See References for a detailed definition)

Procedure

Generally, notifiable incidents are those belonging to the following categories:

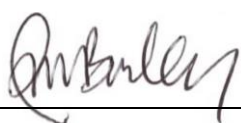
- Where death has occurred;
- Where a person was admitted as an inpatient into a private or public hospital;
- Where a serious injury or illness occurs; or
- Where the incident involves exposure to dangerous goods or hazardous substances.

If a notifiable incident happens, a worker must:

- Secure the area to prevent further injury, if able to do so, and ensure the area is preserved for possible investigation by SafeworkSA;
- Administer first aid if necessary or possible; and
- Notify the Director/Manager, who will then notify SafeworkSA.

The site must be preserved when a notifiable incident has occurred until an inspector arrives at the site or at any other time that an inspector may direct.

The Safe Work Procedures must be kept for a period of 2 years following a notifiable incident.



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Act 2012

S35 — What is a notifiable incident

A **notifiable incident** means:

- (a) the death of a person;
- (b) a serious injury or illness of a person; or
- (c) a dangerous incident.

S36 — What is a serious injury or illness

A **serious injury or illness** of a person means an injury or illness requiring the person to have—

- (a) immediate treatment as an in-patient in a hospital;
- (b) immediate treatment for—
 - (i) the amputation of any part of his or her body;
 - (ii) a serious head injury;
 - (iii) a serious eye injury;
 - (iv) a serious burn;
 - (v) the separation of his or her skin from an underlying tissue (such as degloving or scalping);
 - (vi) a spinal injury;
 - (vii) the loss of a bodily function; or
 - (viii) serious lacerations;
- (c) medical treatment within 48 hours of exposure to a substance, and includes any other injury or illness prescribed by the regulations but does not include an illness or injury of a prescribed kind.

S37 — What is a dangerous incident

A **dangerous incident** means an incident in relation to a workplace that exposes a worker or any other person to a serious risk to a person's health or safety emanating from an immediate or imminent exposure to—

- (a) an uncontrolled escape, spillage or leakage of a substance;
- (b) an uncontrolled implosion, explosion or fire;
- (c) an uncontrolled escape of gas or steam;
- (d) an uncontrolled escape of a pressurised substance;
- (e) electric shock;
- (f) the fall or release from a height of any plant, substance or thing;
- (g) the collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorised for use in accordance with the regulations;
- (h) the collapse or partial collapse of a structure;
- (i) the collapse or failure of an excavation or of any shoring supporting an excavation;
- (j) the inrush of water, mud or gas in workings, in an underground excavation or tunnel;
- (k) the interruption of the main system of ventilation in an underground excavation or tunnel; or
- (l) any other event prescribed by the regulations, but does not include an incident of a prescribed kind.

S38 — Duty to notify of notifiable incidents

A person who conducts a business or undertaking must ensure that the regulator is notified immediately after becoming aware that a notifiable incident arising out of the conduct of the business or undertaking has occurred.

**Maximum Penalties — Individual \$10,000
Business \$50,000**

S39 — Duty to preserve incident site

The person with management or control of a workplace at which a notifiable incident has occurred must ensure so far as is reasonably practicable, that the site where the incident occurred is not disturbed until an inspector arrives at the site or any earlier time that an inspector directs.

**Maximum Penalties — Individual \$10,000
Business \$50,000**

Work Health and Safety Regulations 2012

S303 — Safe work method statement must be kept

If a notifiable incident occurs in connection with the high risk construction work to which the statement relates, the person must keep the statement for at least 2 years after the incident occurs.

**Maximum Penalties — Individual \$1,250
Business \$6,000**

**Expiation Fee — Individual \$144
Business \$720**

Personal Protective Equipment (PPE)

Policy

As part of our commitment to achieving the principles of health and safety in our workplace, we recognise our moral and legal responsibility to provide a safe and healthy work environment for workers, clients and visitors.

This commitment also extends to ensuring that workers and other persons at a workplace are not exposed to risk of injury, illness or disease from hazards in the workplace through the correct selection and use of appropriate items of PPE (where it is impracticable to completely control risks from hazards by other means).

Bowley Plumbing will strive to apply the hierarchy of risk controls to all workplace hazards and implement the use of PPE only where it is not reasonably practicable to eliminate or completely control risks by other means. Where PPE is to be used, we will ensure that correct selection criteria are used in the selection process; and that the item selected is approved for use in that application.

Procedure

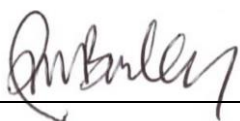
Workers exposed to activities which cannot be adequately controlled by other methods, will be issued with PPE.

Appropriate clothing/PPE includes:

- No loose clothing
- Gloves
- Face Masks
- Eye Protection
- Hearing Protection
- Closed in shoes
- Hair cut short or tied into a pony tail

Workers failing to use PPE where required will be immediately instructed to use the equipment and, if necessary, be restrained in the need for and use of the equipment. It is an offence (pursuant to the *Work Health and Safety Act 2012*) to intentionally damage or fail to wear PPE if it is required.

Visitors to sites where PPE is being worn MUST be instructed to wear PPE. If they decline to wear PPE then they must be refused access.



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Regulations 2012

S44 — Provision to workers and use of personal protective equipment

- (1) This regulation applies if personal protective equipment is to be used to minimise a risk to health and safety in relation to work at a workplace in accordance with regulation 36.
- (2) The person conducting a business or undertaking who directs the carrying out of work must provide the personal protective equipment to workers at the workplace, unless the personal protective equipment has been provided by another person conducting a business or undertaking.
- (3) The person conducting the business or undertaking who directs the carrying out of work must ensure that personal protective equipment provided under sub-regulation (2) is—
 - (a) selected to minimise risk to health and safety, including by ensuring that the equipment is—
 - (i) suitable having regard to the nature of the work and any hazard associated with the work; and
 - (ii) a suitable size and fit and reasonably comfortable for the worker who is to use or wear it; and
 - (b) maintained, repaired or replaced so that it continues to minimise risk to the worker who uses it, including by ensuring that the equipment is—
 - (i) clean and hygienic; and
 - (ii) in good working order; and
 - (c) used or worn by the worker, so far as is reasonably practicable.
- (4) The person conducting a business or undertaking who directs the carrying out of work must provide the worker with information, training and instruction in the—
 - (a) proper use and wearing of personal protective equipment; and
 - (b) storage and maintenance of personal protective equipment.

**Maximum Penalties — Individual \$6,000
Business \$30,000**

S45 — Personal protective equipment used by other persons

The person conducting a business or undertaking who directs the carrying out of work must ensure, so far as is reasonably practicable, that—

- (a) personal protective equipment to be used or worn by any person other than a worker at the workplace is capable of minimising risk to the person's health and safety; and
- (b) the person uses or wears the equipment.

**Maximum Penalties — Individual \$6,000
Business \$30,000**

S46 — Duties of worker

- (1) This regulation applies if a person conducting a business or undertaking provides a worker with personal protective equipment.
- (2) The worker must, so far as the worker is reasonably able, use or wear the equipment in accordance with any information, training or reasonable instruction by the person conducting the business or undertaking. The worker must not intentionally misuse or damage the equipment.
- (3) The worker must inform the person conducting the business or undertaking of any damage to, defect in or need to clean or decontaminate any of the equipment of which the worker becomes aware.

**Maximum Penalties — Individual \$3,600
Business \$18,000**

**Expiation Fee — Individual \$432
Business \$2,160**

S47 — Duty of person other than worker

A person other than a worker must wear personal protective equipment at a workplace in accordance with any information, training or reasonable instruction provided by the person conducting the business or undertaking at the workplace.

**Maximum Penalties — Individual \$3,600
Business \$18,000**

Plant and Equipment

Policy

Bowley Plumbing is committed to ensuring that all plant and equipment is safe to use. This commitment also extends to ensuring that all plant and machinery operated is maintained in a safe condition, and that operators are licensed or competent.

We will ensure that mobile plant, vehicles and machinery used are safe to use, do not pose a risk to the health and safety of any person, and are operated only by persons who are competent and authorised to operate the plant, vehicles or machinery.

Procedure

All plant and equipment must be used and operated according to the approved Safe Work Procedures for that equipment. Workers who hold licences to operate machines **MUST** provide copies of those licences to Management if required.

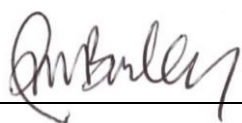
Workers must be vigilant about any plant or equipment that appears to be faulty, apply the Lock Out Tags and complete the required Incident Forms and advise at the earliest opportunity.

Workers who operate items of mobile plant must hold the appropriate licence or be trainees under the instruction of a competent person. Workers operating plant in rough terrain or on unmade tracks etc, must be familiar with the special techniques required to operate the plant in abnormal conditions, and will not be allowed to undertake operating in hazardous conditions unless assessed as competent to do so.

Appropriate pre-start checks should be made of mobile plant and machinery and include checks of fluids (oil, coolant, fuel, hydraulics, etc, including checks for leaks), tyres (condition, correct inflation), electrics (lights, horn, reversing beeper, etc), and operation (steering, brakes, etc). Repairs should only be carried out by authorised persons.

Where required, the log book for the plant should be completed as specified to provide details of hours operated, fuel or other consumables, and service and maintenance details.

Workers must be aware that failure to comply with this policy may result in termination of their contract.



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Act 2012

S19 — Primary Duty of Care

- (1) A person conducting a business or undertaking must ensure, so far as is reasonably practicable, the health and safety of—
- (a) workers engaged, or caused to be engaged by the person; and
 - (b) workers whose activities in carrying out work are influenced or directed by the person, while the workers are at work in the business or undertaking.
- (2) A person conducting a business or undertaking must ensure, so far as is reasonably practicable, that the health and safety of other persons is not put at risk from work carried out as part of the conduct of the business or undertaking.
- (3) Without limiting subsections (1) and (2), a person conducting a business or undertaking must ensure, so far as is reasonably practicable—
- (a) the provision and maintenance of a work environment without risks to health and safety;
 - (b) the provision and maintenance of safe plant and structures;
 - (c) the provision and maintenance of safe systems of work;
 - (d) the safe use, handling and storage of plant, structures and substances;
 - (e) the provision of adequate facilities for the welfare at work of workers in carrying out work for the business or undertaking, including ensuring access to those facilities;
 - (f) the provision of any information, training, instruction or supervision that is necessary to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking; and
 - (g) that the health of workers and the conditions at the workplace are monitored for the purpose of preventing illness or injury of workers arising from the conduct of the business or undertaking.

Work Health and Safety Regulations 2012

S205 — Preventing unauthorised alterations to or interference with plant

The person with management or control of plant at a workplace must, so far as is reasonably practicable, prevent alterations to or interference with the plant that are not authorised by the person.

S206 — Proper use of plant and controls

- (1) The person with management or control of plant at a workplace must take all reasonable steps to ensure that plant is used only for the purpose for which it was designed, unless the person has determined that the proposed use does not increase the risk to health or safety.
- (2) In determining whether or not a proposed use of plant increases the risk to health or safety, the person with management or control of the plant must ensure that the risk associated with the proposed use is assessed by a competent person.
- (3) The person with management or control of plant at a workplace must take all reasonable steps to ensure that all health and safety features and warning devices (including guarding, operational controls, emergency stops and warning devices) are used in accordance with the instructions and information provided by that person under regulation 39.

**Maximum Penalties — Individual \$6,000
Business \$30,000**

S208 — Guarding

- (1) This regulation applies if guarding is used as a control measure in relation to plant at a workplace.
- (2) The person with management or control of the plant must ensure that—
- (a) if access to the area of the plant requiring guarding is not necessary during operation, maintenance or cleaning of the plant, the guarding is a permanently fixed physical barrier; (several other options for guarding are outlined in the Regulations)

**Maximum Penalties — Individual \$6,000
Business \$30,000**

S210 — Operational Controls

- (1) The person with management or control of plant at a workplace must ensure that any operator's controls are—
- (a) identified on the plant so as to indicate their nature and function and direction of operation;
 - (b) located so as to be readily and conveniently operated by each person using the plant;
 - (c) located or guarded to prevent unintentional activation; and

(d) able to be locked into the "off" position to enable the disconnection of all motive power.

**Maximum Penalties — Individual \$6,000
Business \$30,000**

S211 — Emergency Stops

If the design of plant at a workplace includes an emergency stop control, the person with management or control of the plant at the workplace must ensure that—

- (a) the stop control is prominent, clearly and durably marked and immediately accessible to each operator of the plant;
- (b) any handle, bar or push button associated with the stop control is coloured red; and
- (c) the stop control cannot be adversely affected by electrical or electronic circuit malfunction.

**Maximum Penalties — Individual \$6,000
Business \$30,000**

S212 — Warning devices

This regulation applies if the design of plant includes an emergency warning device or it is necessary to include an emergency warning device to minimise risk.

The person with management or control of the plant must ensure that the device is positioned on the plant to ensure that the device will work to best effect.

**Maximum Penalties — Individual \$6,000
Business \$30,000**

S213 — Maintenance and inspection of plant

The person with management or control of plant at a workplace must ensure that the maintenance, inspection and, if necessary, testing of the plant is carried out by a competent person.

The maintenance, inspection and testing must be carried out—

- (a) in accordance with the manufacturer's recommendations, if any;
- (b) if there are no manufacturer's recommendations, in accordance with the recommendations of a competent person;
or
- (c) in relation to inspection, if it is not reasonably practicable to comply with paragraph (a) or (b), annually.

**Maximum Penalties — Individual \$3,600
Business \$18,000**

S214 — Powered mobile plant—general control of risk

The person with management or control of powered mobile plant at a workplace must in accordance with Chapter 3 Part 1, manage risks to health and safety associated with the following:

- (a) the plant overturning;
- (b) things falling on the operator of the plant;
- (c) the operator being ejected from the plant;
- (d) the plant colliding with any person or thing;
- (e) mechanical failure of pressurised elements of plant that may release fluids that pose a risk to health and safety.

**Maximum Penalties — Individual \$6,000
Business \$30,000**

S217 — Protective structures on earthmoving machinery

The person with management or control of earthmoving machinery at a workplace must ensure that the machinery is not used unless it is securely fitted with a protective structure.

This regulation does not apply to earthmoving machinery that has a weight of less than 1500 kilograms (not including attachments to the machinery) and is not designed to have a seated operator.

In this regulation – **protective structure** means a structure designed to protect the operator from injury if the machinery rolls over and from falling objects.

**Maximum Penalties — Individual \$6,000
Business \$30,000**

S219 — Plant that lifts or suspends loads

This regulation applies in relation to plant that is used to lift or suspend persons or things.

The person with management or control of plant at a workplace must ensure, so far as is reasonably practicable, that the plant used is specifically designed to lift or suspend the load.

**Maximum Penalties — Individual \$6,000
Business \$30,000**

S224 — Pressure Equipment

- (1) The person with management or control of pressure equipment at a workplace must ensure that—
- (a) the equipment is inspected on a regular basis by a competent person; and
 - (b) any gas cylinder that is inspected is marked with a current inspection mark showing the date of the most recent inspection.
- (2) The person with management or control of gas cylinders at a workplace that is a gas cylinder filling station must ensure that—
- (a) a gas cylinder is not filled with gas unless it bears a current inspection mark; and
 - (b) a gas cylinder is only filled with gas for which that cylinder is designed.

**Maximum Penalties — Individual \$6,000
Business \$30,000**

S225 — Scaffolds

- (1) This regulation applies in relation to—
- (a) a suspended scaffold;
 - (b) a cantilevered scaffold;
 - (c) a spur scaffold;
 - (d) a hung scaffold; and
 - (e) any other scaffold from which a person or thing could fall more than 4 metres.
- (2) The person with management or control of a scaffold at a workplace must ensure that the scaffold is not used unless the person receives written confirmation from a competent person who has inspected the scaffold that construction of the scaffold has been completed.

**Maximum Penalties — Individual \$6,000
Business \$30,000**

S237 — Records of plant

- (1) This regulation applies in relation to plant that is required to be registered under Chapter 5 Part 3.
- (2) The person with management or control of the plant at a workplace must keep a record of all tests, inspections, maintenance, commissioning, decommissioning, dismantling and alterations of the plant for the period set out in subregulation (3).

**Maximum Penalties — Individual \$1,250
Business \$6,000**

**Expiation Fee — Individual \$144
Business \$720**

Police and Screening Check

Policy

Bowley Plumbing may require current and intending workers to undergo a Police and Screening check as part of its risk management processes.

An entry on a Police and Screening Check will not automatically preclude a person's ability to be employed. Each individual case will be considered on its merits.

Procedure

All persons who are required to undergo a Police check must apply for a National Police Certificate from the South Australian Police. Those required to undergo Screening must contact the Department for Communities and Social Inclusion (see links below).

Application Forms are available on line.

Applicants need to provide one or more of the following:

- Passport or Birth Certificate (or extract); or
- Citizenship Certificate (or certified paper);
- Driver's Licence or permit;
- Public Service ID card;
- Centrelink card;
- Tertiary Education ID; or
- Proof of Age card.

All these documents must have the same name. If not, the applicant must provide proof of name change, e.g. deed poll, marriage certificate, etc.

The application can be made online or in person at a Police Station. Fees for obtaining a National Police Certificate must be paid by the applicant at the time of application, or it will not be processed.

In general, a National Police Certificate may take up to 6 weeks to be processed and issued, so sufficient time must be allowed in the decision-making process to ensure that this Certificate is available for when the decision is to be made.

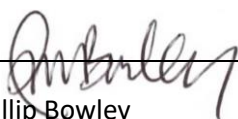
Useful Links

<https://www.police.sa.gov.au/services-and-events/apply-for-a-police-record-check>

This site outlines the process for obtaining a Police Check and is regularly updated.

For screening checks

<https://www.dcsiscreening.sa.gov.au/>



Phillip Bowley
Director Dec 2022

Privacy

Policy

Bowley Plumbing understands that privacy is important especially when conducting business. Because of the nature of our business, we hold personal and possibly sensitive information about clients.

It is our policy to comply with all privacy and confidentiality obligations and requirements pursuant to all relevant laws, including the 13 National Privacy Principles contained in the *Privacy Act 1988*.

We will collect personal and sensitive information from clients only where that information is required in order to provide the agreed service. If we gain access to information that is not relevant to providing the agreed service, that information will be destroyed.

If information held by us is required to be disclosed by law then we will ensure that we act lawfully and with integrity at all times.

At all times, we will ensure that confidential and private information is kept secure.

Definitions

Personal information – information or an opinion about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion (includes such things as name, address, marital status, phone number, credit card information, etc.).

Sensitive information – information or an opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual practices, income/pay level, criminal record and health information.

Procedure

Workers must comply with the following guidelines in relation to the gathering, use and security of confidential information:

- Personal information may be collected only by lawful and fair means and not in an unreasonably intrusive way;
- Personal and sensitive information about clients is only available to those workers who need that information to provide a service for that client;
- Electronic data must be kept within secure network storage;
- Information will not be disclosed to a third party without the written consent of the client concerned except in the following circumstances:
 - where required by law, information may be given to the appropriate authority without the prior consent of the person concerned. Where this occurs, the request is to be made in writing and notification that such an action has occurred will be placed on the client's record.

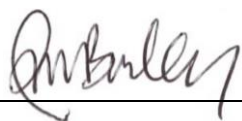
- we reasonably believe that the use or disclosure is necessary to lessen or prevent a serious and imminent threat to an individual's life, health or safety, or a serious threat to public health or public safety.
- Information and client records will be kept in secure storage;
- Any request for Private or Confidential information must be referred to Management.

Information which may tend to identify a client or which may disclose personal or sensitive information is a breach of the 13 National Privacy Principles with which *the business* seeks to comply. Breaches of this Privacy Policy will result in disciplinary action being taken which could include termination of employment.

Useful Links

<https://www.oaic.gov.au/privacy/australian-privacy-principles>

Contains examples and explanations of the 13 National Privacy Principles.



Phillip Bowley
Director Dec 2022

References

The Privacy Act 1988 – 13 Australian Privacy Principles

Principle 1 – Open and transparent management of personal information

An entity must manage personal information in an open and transparent way

Principle 2 – Anonymity and pseudonymity

Individuals must have the right to identify themselves via pseudonym unless prohibited by law or unless it is impracticable for the entity to deal with individuals who have used a pseudonym.

Principle 3 – Collection of personal information

Personal information may only be collected that is relevant for the function of the entity

Principle 4 – Dealing with unsolicited personal information

Information that an entity receives about a person that is unsolicited must deal with that information in specific ways. Refer to the link above.

Principle 5 – Notification of the collection of personal information

The principle explains the obligations on the entity in the event that personal information is collected that the person may not know about.

Principle 6 – Use or disclosure of personal information

Relates to the requirement for personal information to not be disclosed for any purpose other than that for which it was given. (unless consent has been gained)

Principle 7 – Direct marketing

An entity may not use personal information for direct marketing. However there are exceptions. Refer to the link for more information

Principle 8 – Cross-border disclosure of personal information

Before passing on personal information to an overseas recipient steps must be taken to ensure that the recipient does not breach the Australian Privacy Principles

Principle 9 – Adoptions, use or disclosure of government related identifiers

An organisation must not adopt a government related identifier of an individual as its own identifier of the individual unless certain criteria are met.

Principle 10 – Quality of personal information

An entity must take steps to ensure that the personal information that they hold is accurate, up to date and complete.

Principle 11 – Security of personal information

Steps must be taken to keep the information secure from loss, misuse or unauthorised access. When information is no longer needed it should be destroyed or de-identified.

Principle 12 – Access to personal information

If an entity holds personal information about a person, the entity must give the individual access to the information.

Principle 13 – Correction of personal information

If an entity holds personal information they must take reasonable steps to ensure that that information is accurate, up to date, complete, relevant and not misleading.

Safe Work Procedures

Policy

It is the policy of *Bowley Plumbing* to ensure that workers remain safe at work at all times. One way of protecting the health and safety of workers is to ensure that they adopt safe work practices.

Procedure

Safe Work Procedures are provided for the following hazards:

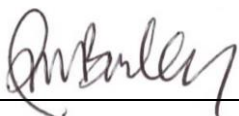
- Working around biohazards;
- Hot Works;
- Hydro jetting;
- Ladder Use;
- Manual Handling;
- Slips, Trips and Falls;
- Working around Moving Machinery;
- Working at heights;
- Working in trenches;
- Working with chemicals;
- Working with Power Tools.

The documents will be reviewed on a 12-monthly basis or in the following circumstances:

- A request is made from the workers to do so;
- If there is repeated non-compliance with a procedure;
- If there is a change to the task, process, plant or environment;
- If there has been an incident involving the tasks; and/or
- If there is fresh information about the hazard.

Failure to comply with this policy and Safe Work Procedures will result in disciplinary action being taken which could include instant dismissal.

If at any time for any reason, workers feel unsafe then they must stop work immediately and contact Management. It is never acceptable to work under any circumstance where there is uncertainty about safety.



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Regulations 2012

S60 — Managing risks to health and safety

- (1) A person conducting a business or undertaking must manage risks to health and safety relating to a musculoskeletal disorder associated with a hazardous manual task, in accordance with Chapter 3 Part 1.*
- (2) In determining the control measures to implement under sub regulation (1), the person conducting the business or undertaking must have regard to all relevant matters that may contribute to a musculoskeletal disorder, including—*
 - (a) postures, movements, forces and vibration relating to the hazardous manual task;*
 - (b) the duration and frequency of the hazardous manual task;*
 - (c) workplace environmental conditions that may affect the hazardous manual task or the worker performing it;*
 - (d) the design of the work area;*
 - (e) the layout of the workplace;*
 - (f) the systems of work used; and*
 - (g) the nature, size, weight or number of persons, animals or things involved in carrying out the hazardous manual task.*

Safety Signage

Policy

Bowley Plumbing is committed to ensuring that the workplace remains safe for workers, contractors, clients and visitors.

Safety signage may be in use for a range of reasons in the worksite, including regular safety procedures which may be illustrated by permanent safety signage. There may also be temporary safety signage which is erected to manage a temporary, short term hazard.

Safety Signage is covered by an Australian Standard (AS1319) and wherever possible, signage will comply with that Standard. There are two types of signs which are covered by AS1319 and these are:

- Pictorial signs, which use symbols of the hazard as well as colour and shapes to convey a message.
- Signs with text only messages highlighted by the use of colour and shapes.

Pictorial safety signs have been designed for ease of comprehension and are the preferred type.

Procedure

Management will ensure that signage is provided as required.

Permanent signage

Workers are required to follow procedures illustrated in safety signs. These may include caution signs regarding Personal Protective Equipment (PPE), blind corners, location of emergency equipment, etc.

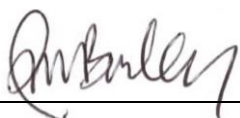
Signage must always be adhered to. In the event that a safety sign is in poor repair or becomes dislodged, the worker must ensure that they replace it, or if that is not reasonably practicable they must advise Management that the sign is damaged/not in use.

Temporary signage

Temporary signs may be erected when there is an area which is not safe to use, for example an area where a temporary trench has been dug or where an electrical fault has been detected.

Workers will ensure that safety signs are displayed when they become aware of a hazardous area. All signs must be placed so that they are easy to see.

After the hazard has been removed, the signs will be collected and returned to the storage area.



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Regulations 2012

S68 – Signage

- (1) A person conducting a business or undertaking must ensure that signs comply with subregulation (2) are erected—
- (a) Immediately before work in a confined space commences and while the work is being carried out; and
 - (b) While work is being carried out in preparation for, and in the completion of, work in a confined space.

**Maximum Penalties — Individual \$3,600
Business \$18,000**

**Expiation Fee — Individual \$432
Business \$2,160**

S39—Provision of information, training and instruction

- (1) This regulation applies for the purposes of section 19 of the Act to a person conducting a business or undertaking.
- (2) The person must ensure that information, training and instruction provided to a worker is suitable and adequate having regard to—
- (a) the nature of the work carried out by the worker;
 - (b) the nature of the risks associated with the work at the time the information, training or instruction is provided; and
 - (c) the control measures implemented.
- (3) The person must ensure, so far as is reasonably practicable, that the information, training and instruction provided to a worker is provided in a way that is readily understandable by any person to whom it is provided.

**Maximum Penalties — Individual \$6,000
Business \$30,000**

Slips, Trips and Falls

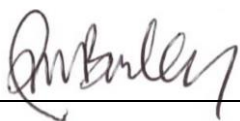
Policy

It is the policy of *Bowley Plumbing* to prevent the occurrence of injury and to reduce the severity of injuries resulting from slips, trips and falls.

Slips, trips and falls are entirely preventable and are usually the result of poor storage and housekeeping.

Procedure

- Work areas, fire escapes, walkways, and other means of access and egress are to be kept clear and unobstructed so far as is reasonably practicable;
- Safety signs, fire extinguishers/hoses and emergency exits must never be obstructed;
- Material stored in open areas shall be stored in a tidy manner and in appropriate containers;
- Lunch areas must be kept tidy and clean;
- Toilets should be left clean and tidy;
- Tools, electrical cords, etc are not to be placed in areas or used in such a way where they may be subjected to damage or cause a trip hazard;
- Rubbish is not to be left lying where it may create a hazard;
- Ensure slip resistance is maintained on floor and all step ladders are in safe working order;
- Ensure spillages are immediately cleaned up;
- Personal Protective Equipment (i.e. gloves, eye glasses etc) shall be maintained in good condition. When not in use, PPE is to be stored in a clean and hygienic manner;
- All workers must “clean as you go” and not leave any unsafe obstacles in the way of colleagues/the public if working on site;
- All rubbish should be disposed of as soon as possible and placed in correct bins;
- The worksite must be left as tidy as reasonably practicable at the end of the day’s work; and
- Housekeeping should be performed on a daily/scheduled basis as part of normal work practices or at the end of the day.



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Act 2012

S19 — Primary duty of care

- (1) *A person conducting a business or undertaking must ensure, so far as is reasonably practicable, the health and safety of—*
 - (a) *workers engaged, or caused to be engaged by the person; and*
 - (b) *workers whose activities in carrying out work are influenced or directed by the person, while the workers are at work in the business or undertaking.*
- (2) *A person conducting a business or undertaking must ensure, so far as is reasonably practicable, that the health and safety of other persons is not put at risk from work carried out as part of the conduct of the business or undertaking.*

- (3) Without limiting subsections (1) and (2), a person conducting a business or undertaking must ensure, so far as is reasonably practicable—
- (a) the provision and maintenance of a work environment without risks to health and safety;
 - (b) the provision and maintenance of safe plant and structures;
 - (c) the provision and maintenance of safe systems of work;
 - (d) the safe use, handling and storage of plant, structures and substances; and
 - (e) the provision of adequate facilities for the welfare of workers in carrying out work for the business or undertaking, including ensuring access to those facilities;

Work health and Safety Regulations 2012**S40 — Duty in relation to general workplace facilities**

A person conducting a business or undertaking at a workplace must ensure, so far as is reasonably practicable, the following:

- (a) the layout of the workplace allows, and the workplace is maintained so as to allow, for persons to enter and exit and to move about without risk to health and safety, both under normal working conditions and in an emergency;
- (b) work areas have space for work to be carried out without risk to health and safety;
- (c) floors and other surfaces are designed, installed and maintained to allow work to be carried out without risk to health and safety;
- (d) lighting enables—
 - (i) each worker to carry out work without risk to health and safety;
 - (ii) persons to move within the workplace without risk to health and safety; and
 - (iii) safe evacuation in an emergency;
- (e) ventilation enables workers to carry out work without risk to health and safety;
- (f) workers carrying out work in extremes of heat or cold are able to carry out work without risk to health and safety;
- (g) work in relation to or near essential services does not give rise to a risk to the health and safety of persons at the workplace.

**Maximum Penalties — Individual \$6,000
Business \$30,000**

Smoke-Free Workplace

Policy

Bowley Plumbing is committed to providing a safe and healthy working environment for all workers and also has a legal commitment under the *Work Health and Safety Act 2012* to provide a safe and healthy workplace for all workers, contractors and visitors.

Under the *Tobacco Products Regulation Act 1997* smoking has been banned in all enclosed workplaces.

This Smoke-Free Workplace Policy will apply to all workers, visitors and other persons at any workplace, including vehicles.

Procedure

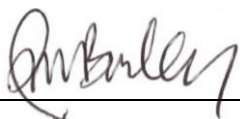
The following conditions apply to smoking.

- We will not permit smoking inside any of our buildings, on the property or in motor vehicles;
- Smoking can occur only in designated areas off site;
- Butts must be disposed of in the designated bin;
- Smoking can only occur during the worker's scheduled break. It is not permissible to smoke more frequently than this without loss of pay.

It is a condition of employment that workers must comply with this Smoke-Free Workplace Policy.

In line with its commitment to the health and safety of workers, we will support any worker trying to quit and encourages workers to contact the Quit line. The number is 13 78 48.

Non-compliance will be considered a breach of this policy and health and safety guidelines and will result in appropriate action being taken against the worker concerned.



Phillip Bowley
Director Dec 2022

References

Tobacco Products Regulation Act 1977
S46 – Restrictions on Smoking

Storage and Housekeeping

Policy

Bowley Plumbing understands that inappropriate storage of items or supplies can create tripping hazards and obstructions which increase the risk of injury.

Leaving a work area untidy is dangerous for colleagues, disrespectful to fellow workers, and can contribute to poor morale and reduced efficiency. It is therefore our policy that all areas will remain tidy and equipment will be stored properly at all times. This policy applies to all areas of our worksites.

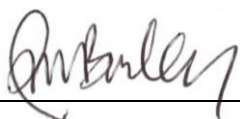
Procedure

Equipment must not be left or stored:

- In any area which blocks access or restricts access to a fire escape;
- Where it obstructs a walkway or pathway;
- Where someone else will be required to move it to the correct place; or
- Where it could dislodge, fall and hurt a person.

Generally:

- Work areas, fire escapes, walkways, and other means of access and egress are to be kept clear and unobstructed so far as is reasonably practicable;
- Safety signs, fire extinguishers/hoses and emergency exits must never be obstructed;
- Material stored in open areas shall be stored in a tidy manner and in appropriate containers;
- Lunch areas must be kept tidy and clean;
- Toilets should be left clean and tidy;
- Tools, electrical cords, etc are not to be placed in areas or used in such a way where they may be subjected to damage or cause a trip hazard;
- Rubbish is not to be left lying where it may create a hazard;
- Ensure slip resistance is maintained on floor and all step ladders are in safe working order;
- Ensure spillages are immediately cleaned up;
- Personal Protective Equipment (i.e. gloves, eye glasses etc) shall be maintained in good condition. When not in use, PPE is to be stored in a clean and hygienic manner;
- All workers must “clean as you go” and not leave any unsafe obstacles in the way of colleagues/the public if working on site;
- All rubbish should be disposed of as soon as possible and placed in correct bins;
- The worksite must be left as tidy as reasonably practicable at the end of the day’s work; and
- Housekeeping should be performed on a daily/scheduled basis as part of normal work practices or at the end of the day.



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Act 2012

S19 — Primary duty of care

- (1) A person conducting a business or undertaking must ensure, so far as is reasonably practicable, the health and safety of—
- (a) workers engaged, or caused to be engaged by the person; and
 - (b) workers whose activities in carrying out work are influenced or directed by the person, while the workers are at work in the business or undertaking.
- (2) A person conducting a business or undertaking must ensure, so far as is reasonably practicable, that the health and safety of other persons is not put at risk from work carried out as part of the conduct of the business or undertaking.
- (3) Without limiting subsections (1) and (2), a person conducting a business or undertaking must ensure, so far as is reasonably practicable—
- (a) the provision and maintenance of a work environment without risks to health and safety;
 - (b) the provision and maintenance of safe plant and structures;
 - (c) the provision and maintenance of safe systems of work;
 - (d) the safe use, handling and storage of plant, structures and substances; and
 - (e) the provision of adequate facilities for the welfare at work of workers in carrying out work for the business or undertaking, including ensuring access to those facilities;

Work Health and Safety Regulations 2012

S40 — Duty in relation to general workplace facilities

A person conducting a business or undertaking at a workplace must ensure, so far as is reasonably practicable, the following:

- (a) the layout of the workplace allows, and the workplace is maintained so as to allow, for persons to enter and exit and to move about without risk to health and safety, both under normal working conditions and in an emergency;
- (b) work areas have space for work to be carried out without risk to health and safety;
- (c) floors and other surfaces are designed, installed and maintained to allow work to be carried out without risk to health and safety;
- (d) lighting enables—
 - (i) each worker to carry out work without risk to health and safety;
 - (ii) persons to move within the workplace without risk to health and safety; and
 - (iii) safe evacuation in an emergency;
- (e) ventilation enables workers to carry out work without risk to health and safety;
- (f) workers carrying out work in extremes of heat or cold are able to carry out work without risk to health and safety;
- (g) work in relation to or near essential services does not give rise to a risk to the health and safety of persons at the workplace.

**Maximum Penalties — Individual \$6,000
Business \$30,000**

Surveillance

Policy

Employees need to understand that when working on-site they may be subject to surveillance. It is an effective tool to manage security of grounds and buildings and to help protect employees and clients from harm by intruders.

Regretfully, there will be some occasions when an employee may be engaged in illegal or dishonest activity and in order to protect employees and clients, it is possible that hidden methods of surveillance could be used in those circumstances.

Definition

For the purposes of this Surveillance Policy, the following definitions will apply:

- “hidden surveillance” refers to monitoring or photographing of an individual without their knowledge or consent.
- “open surveillance” refers to the notified and disclosed surveillance of employees, and clients, and/or the premises as a safety or security measure.

Surveillance could take the form of CCTV cameras, observation, GPS trackers on work vehicles and the like.

This Surveillance Policy does not apply to our use of electronic monitoring and surveillance of our own internet and email systems for system security and instances of misuse by employees.

Procedure

Open Surveillance

You may be subject to open surveillance during your work, whether it is at our workplace (including vehicles) or at a client's. Open surveillance has two very important functions. It can:

- Help deter security breaches
- Help if there is a workplace incident or injury

If CCTV cameras or vehicle tracking devices are to be used, employees will be advised prior to the installation. Tracking devices on vehicles provide an important safety function in that it enables the employer to know where the employee is; this is especially relevant when travelling out of the city.

Hidden Surveillance

In relation to hidden surveillance being undertaken by our business, the following guidelines will be applied prior to action being taken:

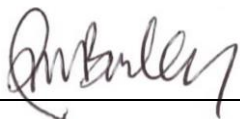
- The use of hidden surveillance will only be permitted when the Director needs to establish a basis of fact in order to make an informed decision where allegations of serious or wilful misconduct and/or criminal behaviour have been made.
- “Serious or wilful misconduct” refers to:

- Wilful or deliberate behaviour by an employee that is inconsistent with the conditions of their employment contract
- Conduct that causes imminent or serious risk to the health or safety of a person
- Conduct that causes imminent or serious harm to the reputation or viability of the business and/or
- Criminal behaviour such as theft.
- Examples of serious misconduct include, but are not limited to: doing or not doing something that results in unsafe practices, time sheet dishonesty, theft, fraud, assault, serious harassment, gross negligence or neglect of duty;
- Hidden surveillance will not be permitted to be used, unless the conduct which is being investigated is such that, if proved, it may justify instant or summary dismissal of the employee concerned.

If surveillance provides evidence that confirms the allegation or suspicion of serious or wilful misconduct or criminal activity, the matter will be dealt with according to our Discipline Policy. The matter may also be referred to the Police.

If material or information gathered from covert surveillance activities does not support the suspicion or allegations of serious or wilful misconduct or criminal activity, the material or information must be destroyed immediately.

The Director will be responsible for authorising all hidden surveillance activities.



Phillip Bowley
Director Dec 2022

Unauthorised Removal of Property

Policy

Property that is owned by *Bowley Plumbing* must not be removed from the premises without the express permission of relevant Management. This policy includes property owned by any clients or a colleague.

Property includes, but is not limited to:

- All products left over from jobs;
- All tangible assets of our business;
- Leased or hired property, including property on loan and demonstration/consignment stock;
- Documents, client lists, software, manuals, stationery;
- Electronic information and data; and
- Intellectual property, including, but not limited to, trade secrets, formulations, computer software and script, designs, publications, client and product information.

Procedure

Where it is necessary for a worker to remove property from the premises, approval should be obtained from relevant Management.

There are some situations where it is appropriate to remove property from a site. This includes:

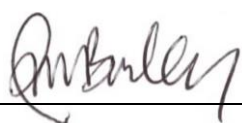
- If a worker has left valuable assets in the worksite by mistake and has left for the day, then it is appropriate to remove them in order to keep them from being stolen;
- If property has been left which could pose a threat to the health and safety of another person.

In these situations, the worker must contact to owner of the goods (if known) or Management to seek permission to remove the property.

Any items which are borrowed from the business for personal use (with permission of Management) MUST be returned by the start of business on the next working day.

Where there is a reasonable suspicion that a worker has removed property without appropriate approval the worker will be disciplined, and in serious instances, have their employment contract terminated.

Where it appears that property has been stolen, the matter will also be passed over to the Police for investigation and measures put in place to seek recovery/damages. Police reports will be obtained where insurance claims are involved.



Phillip Bowley
Director Dec 2022

Weather

Policy

Bowley Plumbing committed to ensuring that employees are safe from injury due to the effects of weather when undertaking work during extremes of temperature

Procedure

Heat

Ensuring risks associated with heat are reduced to an acceptable level by implementation of a single or a combination of the following controls:

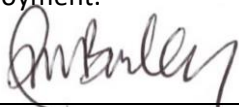
- Altering the work schedule so that heavier work is done during cooler periods;
- Reducing the radiant heat by provision of shading and shielding from sources of radiant heat;
- Provision of clothing appropriate to the nature of the work and the level of heat;
- Ensuring the provision of cool drinking water in close proximity and in sufficient quantities;
- Ensuring persons are fit, acclimatised and not taking medication that will impair their ability to cope with hot conditions;
- Ensuring sufficient rest breaks;
- Rotation of persons involved in heavier tasks;
- Provision of air-conditioned spaces to be used during rest breaks;
- Training of employees regarding how to avoid heat stress, to recognise the symptoms of heat stress and what to do if symptoms occur; and
- Introduction of any other appropriate controls that may assist to reduce the risks to an acceptable level.

Cold Weather

Ensuring risks associated with cold weather are reduced to an acceptable level by implementation of a single or a combination of the following controls:

- Altering the work schedule so that work is done during warmer periods;
- Introduction of warm-up exercises prior to commencing work in cold conditions;
- Wearing clothing and footwear appropriate to the nature of the work and the temperature;
- Provision of high visibility clothing when working in wet and low visibility;
- Shielding employees from the environment;
- Ceasing the use of electrical equipment where moisture may increase the risk of electrocution;
- Introduction of cessation of work, where inclement weather conditions make continuation of work too risky; and
- Introduction of any other appropriate controls that may assist to reduce the risks to an acceptable level.

Failure to comply with this policy could result in disciplinary proceeding which may include termination of employment.



Phillip Bowley, Director. Dec 2022

References

Work Health and Safety Act 2012

S36—Hierarchy of control measures

- (1) *This regulation applies if it is not reasonably practicable for a duty holder to eliminate risks to health and safety.*
- (2) *A duty holder, in minimising risks to health and safety, must implement risk control measures in accordance with this regulation.*
- (3) *The duty holder must minimise risks, so far as is reasonably practicable, by doing 1 or more of the following*
 - (a) *substituting (wholly or partly) the hazard giving rise to the risk with something that gives rise to a lesser risk;*
 - (b) *isolating the hazard from any person exposed to it;*
 - (c) *implementing engineering controls.*
- (4) *If a risk then remains, the duty holder must minimise the remaining risk, so far as is reasonably practicable, by implementing administrative controls.*
- (5) *If a risk then remains, the duty holder must minimise the remaining risk, so far as is reasonably practicable, by ensuring the provision and use of suitable personal protective equipment.*

Work Health and Safety

Policy

Bowley Plumbing is committed to the health, safety and welfare of clients, workers, contractors and visitors to any premises where we have a duty under the *Work Health and Safety Act 2012*. *Bowley Plumbing* is also mindful that it has an obligation to assist others who also have responsibilities under the Act to maintain safe premises and safe systems of work.

It is the responsibility and aim of *Bowley Plumbing* to minimise the risk of injury to workers and other persons, by adopting a systematic approach to the management of work health and safety and providing the resources for its successful implementation and continuous improvement.

All workers have duties under the *Work Health and Safety Act 2012* to take care to protect their own health and safety and to avoid adversely affecting the health and safety of any other person.

In line with its obligations under the *Work Health and Safety Act 2012*, the *Bowley Plumbing* PCBU will ensure that it takes all steps that are **reasonably practicable** to comply with its duties and to cooperate with other PCBUs, officers or anyone else who has obligations under the Act.

Definition

The definition of **workers** in the *Work Health and Safety Act 2012* includes subcontractors and their workers, volunteers, and apprentices and students on work placement.

In the Act, **Officers** have a specific role. An Officer is a person who is responsible for ensuring that the system that the PCBU has put in place is used. They must ensure that they show “due diligence” and check the workers work to ensure they are working safely, completing Incident Forms as required, etc.

The **PCBU** at *Bowley Plumbing* is the Director/Manager.

The worksite includes the office, the worksite, and any other place where work is likely to be carried out. It includes vehicles used as part of work.

Definition of “Reasonably Practicable”

The term is described in detail in the *Work Health and Safety Act 2012*. It does not mean the cost in dollar terms. Determining what is reasonably practicable includes taking the following into account:

- Severity of the hazard or risk
 - How likely is it that a worker will be injured? How serious are the injuries likely to be?
- What is known about this hazard and how others have controlled the risk

- What information can other professionals, industry associations, unions or government bodies provide? Is there any guidance from the manufacturer about the risk control element? (Designers of equipment also have obligations under the Act)
- Availability and suitability of proposed controls
 - Are the proposed measures available? Are they suitable for this particular site?
- The cost of removing or minimising the hazard
 - What are the costs involved? Are the costs grossly disproportionate to the risk?

Procedure

To effectively manage work health and safety in the workplace and to achieve *the business'* objectives to eliminate/effectively control all hazards and risks to health and safety, all workers must be aware of their functions and responsibilities.

Management (the PCBU and the Officers):

- Has a responsibility to ensure, as far as reasonably practicable, that workers, whilst at work, and all other persons who have access to the worksite, are safe from injury and risk to health;
- Specifically:
 - The provision and maintenance of a work environment without risks to health and safety;
 - The provision and maintenance of safe plant and structures;
 - The provision and maintenance of safe systems of work;
 - The safe use, handling and storage of plant structures and substances;
 - The provision of adequate facilities for the welfare of workers;
 - The provision of information, training, instruction or supervision that is necessary to protect all persons from risks to their health and safety; and
 - That the health of workers and the conditions of the workplace are monitored
- Is responsible for the effective implementation, monitoring and review of this Work Health and Safety Policy; and
- Will provide opportunities for workers to be consulted on any proposed changes to the workplace, work practices, policies or procedures that may affect their health and safety.

Workers

- Have a duty to take care of their own health and safety and that of others who may be affected by their actions, or failure to act, whilst at work;
- Must report (document) any incident, near miss or hazard at work to Management or any other person as instructed by the employer;
- Must use any personal protective (PPE) or other equipment provided to protect their health and safety whilst at work;
- Must obey any reasonable instruction aimed at protecting their health and safety whilst at work and carry out their roles and responsibilities as detailed in the relevant health and safety policies and procedures; and
- Must ensure that they are not so affected by drugs (including prescribed drugs) or alcohol as to endanger their own or any other person's health and safety.

Consultation

Consultation and co-operation with workers will be undertaken in order to ensure the best possible resolution for health, safety and welfare issues.

Commitment to quality

We will seek to comply with the relevant Legislation and Codes of Practice and Standards which guide and govern the industry. This includes but is not limited to:

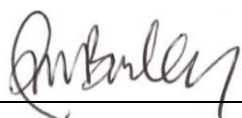
- Code of Practice – First Aid (as per State Authority)
- Code of Practice – Hazardous Manual Tasks
- Code of Practice – Managing Electrical Risks at the Workplace
- Code of Practice – Managing Noise and Preventing Hearing Loss
- Code of Practice – Managing the Risk of Falls at Workplaces
- Code of Practice – Managing the Risk of Plant in the Workplace
- Code of Practice – Managing the Work Environment and Facilities
- AS/NZS 3760 – Testing and Tagging of Electrical Equipment

We will seek to constantly improve the quality of its work by complying with new Codes of Practice/Quality Standards as appropriate. In all instances, we will seek to implement best practice solutions for health and safety concerns and is committed to ensuring compliance with all relevant and current legislation.

Useful Links

<https://www.safework.sa.gov.au/>

This site contains links to Codes of Practice. There is also a link to *the Work Health and Safety Act and the Work Health and Safety Regulations 2012*



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Act 2012

S8 – Meaning of workplace

- (1) A workplace is a place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work.
- (2) In this section **place** includes—
 - (a) a vehicle, vessel, aircraft or other mobile structure; and
 - (b) any waters and any installation on land, on the bed of any waters or floating on any waters.

S19 – Primary duty of care

- (1) A person conducting a business or undertaking must ensure, so far as is reasonably practicable, the health and safety of—
 - (a) workers engaged, or caused to be engaged by the person; and
 - (b) workers whose activities in carrying out work are influenced or directed by the person, while the workers are at work in the business or undertaking.
- (2) A person conducting a business or undertaking must ensure, so far as is reasonably practicable, that the health and safety of other persons is not put at risk from work carried out as part of the conduct of the business or undertaking.

- (3) Without limiting subsections (1) and (2), a person conducting a business or undertaking must ensure, so far as is reasonably practicable—
- (a) the provision and maintenance of a work environment without risks to health and safety;
 - (b) the provision and maintenance of safe plant and structures;
 - (c) the provision and maintenance of safe systems of work;
 - (d) the safe use, handling and storage of plant, structures and substances;
 - (e) the provision of adequate facilities for the welfare at work of workers in carrying out work for the business or undertaking, including ensuring access to those facilities;
 - (f) the provision of any information, training, instruction or supervision that is necessary to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking; and
 - (g) that the health of workers and the conditions at the workplace are monitored for the purpose of preventing illness or injury of workers arising from the conduct of the business or undertaking.

- (4) If—
- (a) a worker occupies accommodation that is owned by or under the management or control of the person conducting the business or undertaking; and
 - (b) the occupancy is necessary for the purposes of the worker's engagement because other accommodation is not reasonably available,
- the person conducting the business or undertaking must, so far as is reasonably practicable, maintain the premises so that the worker occupying the premises is not exposed to risks to health and safety.

(1) A self-employed person must ensure, so far as is reasonably practicable, his or her own health and safety while at work.

S20 — Duty of persons conducting businesses or undertakings involving management or control of workplaces

Person with management or control of a workplace” means a person conducting a business or undertaking to the extent that the business or undertaking involves the management or control, in whole or in part, of the workplace

S26 — Duty of persons conducting businesses or undertakings that install, construct or commission plant or structures

- (1) This section applies to a person who conducts a business or undertaking that installs, constructs or commissions plant or a structure that is to be used, or could reasonably be expected to be used, as, or at, a workplace.
- (2) The person must ensure, so far as is reasonably practicable, that the way in which the plant or structure is installed, constructed or commissioned ensures that the plant or structure is without risks to the health and safety of persons—
- (a) who install or construct the plant or structure at a workplace;
 - (b) who use the plant or structure at a workplace for a purpose for which it was installed, constructed or commissioned;
 - (c) who carry out any reasonably foreseeable activity at a workplace in relation to the proper use, decommissioning or dismantling of the plant or demolition or disposal of the structure;
 - (d) who are at or in the vicinity of a workplace and whose health or safety may be affected by use or activity referred to in paragraph (a), (b) or (c).

Work Health and Safety Regulations 2012

Penalties

Duty Holder	Category 1	Category 2	Category 3
<i>Individual worker or other person at the workplace</i>	<i>\$300,000 or 5 yrs imprisonment</i>	<i>\$150,000</i>	<i>\$50,000</i>
<i>Individual PCBUs or Officers</i>	<i>\$600,000 or 5 yrs imprisonment</i>	<i>\$300,000</i>	<i>\$100,000</i>
<i>Body Corporate, business</i>	<i>\$3,000,000</i>	<i>\$1,500,000</i>	<i>\$500,000</i>

Category 1 – reckless conduct that exposes an individual to a risk of death or serious injury or illness that is engaged in without reasonable excuse.

Category 2 – failure to comply with a health and safety duty that exposes an individual to a risk of death or serious injury or illness.

Category 3 – failure to comply with a health and safety duty.

Worker Injury

Policy

Bowley Plumbing is committed to providing its injured workers with the best possible medical assistance and rehabilitation following a work-related injury or illness. We encourage, where medically possible, an early and progressive return to work and will provide our injured workers with suitable modified duties where recommended by medical professionals and as required under the *Return To Work Act 2014*.

We shall ensure that all policies and procedures regarding the effective processing of Workers Compensation claims and the monitoring of rehabilitation and return to work plans meet all legislative requirements.

We will stress to its workers the importance of reporting incidents early so that the appropriate medical assessments can be undertaken. Early reporting and timely medical intervention and support demonstrates the business's respect and commitment to the health and wellbeing of its workers.

We will act according to our responsibilities as outlined within legislation and are committed to ensuring that the rights of injured workers are protected.

We will make our best endeavours to follow the principles of best practice in injury management.

Procedure

An overview of best practice in injury management

Best practice in injury management is about assertive and early intervention. At the first sign of injury, the employer has the responsibility to speak with the worker and make an appointment for an assessment of the condition with a specialist workplace doctor. The employer pays for this medical assessment.

The over-riding concern should be to do all that is possible to help keep the worker connected with their work. Even light duties for an hour a day sends a strong message to the worker that they are valued, and they have an important role in the organisation.

Light duties should be designed to be interesting, rewarding and of obvious value to *the business*. This way the worker knows that they are valued, and they are more likely to be motivated to stay connected with their job.

In the event that a worker suffers from a work-related injury/illness, the worker will advise Management and complete an Incident Report Form. Management will investigate the incident and take whatever action is needed to:

- Ensure the immediate health and safety of the injured worker; and
- Prevent the injury happening again or to another person.

Depending on the seriousness of the injury the worker may also be requested to complete a ReturnToWorkSA Claim Form. Workers must complete this form as soon as possible and give it to Management together with any Medical Certificates. Assistance will be provided upon request to assist with the completion of all necessary documentation.

Light Duties Plan (Suitable Employment Schedule)

If an injured worker is able to undertake light duties then Management will develop a plan with the worker and any treating professional if one is involved (e.g. physiotherapist, doctor etc). This plan is developed as soon as it is known that the worker needs to undertake light duties.

As required under the *Return To Work Act 2014*, we will ensure that in relation to an injured worker they will provide:

- Coordination and communication with all interested parties;
- Assistance with facilitating a return to work, as promptly and safely as possible; and
- Monitoring of the injured worker's progress in return to work.

The establishment of a Return to Work Plan

Some workers may sustain an injury which is serious enough that the Claims Agent will appoint a Rehabilitation Provider.

A Return to Work Plan will be established by the Rehabilitation Provider with the objective of ensuring that workers suffering from any compensable disability achieve the best possible levels of physical and mental recovery and where possible be restored to the workforce and general community. The Rehabilitation Provider develops the plan in consultation with interested parties.

We will participate to the fullest of our ability to assist workers in their Return to Work Programs.

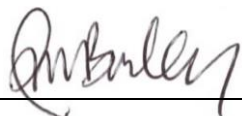
Forms

- Incident Report Form
- Return To Work Claim Form

Useful Links

<https://www.rtwsa.com/>

The website contains links and information pertaining to work injuries. It replaces Workcover.



Phillip Bowley
Director Dec 2022

References

Return To Work Act 2014

Workplace Harassment and Bullying

Policy

Bowley Plumbing is committed to providing its workers with a safe work environment that is free from inappropriate behaviour and will take all reasonable steps to minimise any form of workplace harassment or bullying. Workplace harassment or bullying by or towards any worker, contractor, supplier, client, or visitor in any work-related situation will not be tolerated by our business under any circumstances.

We recognise that workplace harassment and bullying may involve comments and behaviours that offend some people and not others. Individuals may react differently to comments and behaviour; therefore, we expect our workers to behave respectfully at all times.

It is important for workers to be aware that workplace harassment and bullying does not include the legitimate exercise of authority by an employer to direct and control how a worker performs their duties whilst at work or to provide feedback to workers about their performance.

Workers should be aware that they could be held personally liable for harassing or bullying another person, or aiding, abetting or encouraging other persons to harass or bully, or for condoning these types of actions.

Workplace bullying, and harassment complaints are heard by the Fair Work Commission.

Definitions

(Sourced from the SafeworkSA website)

For the purposes of this Workplace Harassment and Bullying Policy, the following applies:

- “Workplace harassment” is any verbal, written or physical behaviour or conduct that is of an offensive, threatening, intimidating, abusive or belittling nature and that is unwelcome, unreciprocated, uninvited and usually, but not always, repeated; and
- “Bullying” is behaviour that is directed towards a worker or a group of workers that is repeated and systematic and that a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, undermine or threaten the workers to whom the behaviour is directed, creating a risk to health or safety.

The following are examples of workplace harassment:

- Unwelcome practical jokes;
- The use of unsuitable language in the workplace;
- Spreading gossip or rumours; or
- The reciting of sexist, racist and/or homophobic jokes.

The following are examples of workplace bullying:

- Verbal abuse;
- Intimidating behaviour;
- Denying opportunities for training; or

- Excluding or isolating workers from events or activities in which they could reasonably be expected to be included.

“Sexual harassment” refers to any unwanted, unwelcome and uninvited behaviour of a sexual nature that results in a person feeling humiliated, intimidated, afraid or offended, and under the circumstances, it would be reasonable for them to feel that way. The perception by an employee that they have been sexually harassed is sufficient for them to lodge a complaint. It is how the behaviour is received, not how it is intended.

The following are examples of “sexual harassment”:

- Unwelcome touching or kissing;
- Comments or jokes, leering or staring;
- Sexual pictures, objects, emails, text messages, screensavers, wallpapers, posters, clothing and/or literature of any kind;
- Direct or implied propositions, or requests for dates; and
- Questions about sexual activity.

Procedure

As part of our commitment to minimising and eliminating instances of workplace harassment and bullying at work, we will:

- Monitor the working environment to ensure that the appropriate standards of behaviour and conduct are observed at all times;
- Treat all complaints of workplace harassment and bullying seriously and take immediate action to investigate and resolve any complaint quickly and fairly and with complete confidentiality;
- Ensure that workers who make or support a complaint of workplace harassment or bullying are not subsequently subjected to victimisation; and
- Take all reasonable steps to ensure there is no recurrence of the offending behaviour.

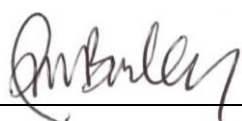
Non-compliance

Any worker found guilty of perpetrating or permitting workplace harassment or bullying will be disciplined, and may, in serious cases, have their contract terminated. Any person making malicious or untrue allegations of workplace harassment or bullying that are unfounded, will be disciplined and may also be dismissed.

Useful Links

The following site links to resources for bullying

<https://www.safeworkaustralia.gov.au/sites/swa/about/publications/pages/guide-workplace-bullying>



Phillip Bowley
Director Dec 2022

References

Work Health and Safety Act 2012

S19 Primary duty of care

- (1) A person conducting a business or undertaking must ensure, so far as is reasonably practicable, the health and safety of—
- (a) workers engaged, or caused to be engaged by the person; and
 - (b) workers whose activities in carrying out work are influenced or directed by the person, while the workers are at work in the business or undertaking.

Work Health and Safety Regulations 2012

Penalties

Duty Holder	Category 1	Category 2	Category 3
<i>Individual worker or other person at the workplace</i>	<i>\$300,000 or 5 yrs imprisonment</i>	<i>\$150,000</i>	<i>\$50,000</i>
<i>Individual PCBUs or Officers</i>	<i>\$600,000 or 5 yrs imprisonment</i>	<i>\$300,000</i>	<i>\$100,000</i>
<i>Body Corporate, business</i>	<i>\$3,000,000</i>	<i>\$1,500,000</i>	<i>\$500,000</i>

Category 1 – reckless conduct that exposes an individual to a risk of death or serious injury or illness that is engaged in without reasonable excuse.

Category 2 – failure to comply with a health and safety duty that exposes an individual to a risk of death or serious injury or illness.

Category 3 – failure to comply with a health and safety duty.

Fair Work Act 2009

Part 6-4B

Allows a worker who has been bullied at work to apply to the Fair Work Commission for an order to stop the bullying.