

WH&S RESPONSIBILITY TOOLBOX TALK



SUBJECT	WH&S – WHO IS RESPONSIBLE
RESOURCE	PowerPoint Presentation

WH&S RESPONSIBILITY

Facilitator: This toolbox talk will cover:

- Legislation - Legal Responsibility
- Overview of PCBU's responsibility
- What the worker's responsibility is under the WH&S legislation.

WH&S is everyone's responsibility.

It is law, a legal obligation:

That both employers and employees have a duty of care, to work safely, so everyone can return home at the end of the workday to their families in good health and free from any injury.

Definitions:

What does a duty of care mean?

Everyone has a duty of care, a responsibility to make sure that they and other people are safe in the workplace.

An employer main responsibility is the health and safety of everyone in the workplace including visitors, in all aspects of a work environment, eg: workplace facilities, equipment used, the vehicle that a person drives, chemicals handling, training etc. The employer needs to eliminate, so far as is reasonably and practical, any health and safety risks in the workplace.

Employees must take reasonable care for their own health and safety plus take reasonable care for the health and safety of others. Employees need to comply with any reasonable instructions, policies and procedures given by their employer, business or controller of the workplace.

PCBU – person conducting a business undertaking.

Anyone who has control of a workplace. eg: business owner, CEO, manager, etc. must ensure the health, safety and welfare of all employees, contractors and visitors whilst at work.



WORKPLACE HEALTH & SAFETY (WH&S) LEGISLATION

There are two important pieces of legislation relating to WH&S

1 Workplace Health & Safety Act 2011

The Work Health & Safety Act 2011 sets out the broad responsibilities of organisations and workers to maintain safe workplaces. Whereas earlier legislation referred to 'employers', the new legislation refers to "persons conducting a business or undertaking" PCBU's (often referred to as "peekaboos") – Person conducting a business undertaking. "Workers" refers to anyone working on the job including sub-contractors and even visitors to the workplace.

2 Work Health & Safety Regulations 2011

These Regulations set out the specific actions that employers must take to identify hazards in the workplace and to ensure that all risks are well managed. This legislation is supported by many other laws, regulations, codes of practice and Australian Standards which are aimed at specific activities within our industry.

WHAT IS THE PCBU'S RESPONSIBILITY?

Safe equipment

Every piece of equipment on the job must be well maintained and in good working order. Where relevant, equipment is fitted with guards, rails and other safety devices (must maintain and kept in place).

Safe environment

Everyone should take reasonable steps to ensure a safe and healthy environment to work in.

Examples: floors are kept clean and uncluttered, provide guard rails where necessary, keep noise levels to a minimum, and maintain adequate lighting and ventilation.

Safe System of Work

PCBU's must develop safe working methods, in collaboration with employees. Safe work methods are normally stated in 'Standard Operating Procedures' for any repetitive task. In other cases, general precautions are provided for specific activities such as driving a forklift, truck safety etc.

Following these procedures at work should minimise any risks associated on the job.

Instruction & Training

Employees are trained in the correct way of doing things for their job role. Ensure what has taught is understood through testing and assessment.

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Supervision

All workers deserve adequate supervision. Supervisors should be helpful and approachable.

Personal Protective Equipment (PPE)

Personal protective equipment is provided where required, eg: high visibility vests for working anywhere near traffic, shoes/boots often with steel toe caps to prevent injury from falling objects.

YOUR RESPONSIBILITY

As workers we also have a legal obligation to look out for our own safety, and the safety of our workmates, clients and the public.

Follow Safety Procedures

Businesses develop work practices, guidelines and procedures for everyone's protection, and it is in your best interest to follow them.

If you believe you can improve on a procedure you should talk to your supervisor or manager. Just because a certain procedure has been in place for a long time does not mean it is the safest way to perform the task.

Attend Training and apply what you have learnt

If training is provided, it is for your own safety. Participate actively in any training given and if you do not understand any information or instructions you should ask for clarification.

Training sessions are normally followed by assessments, to make sure you understand the materials taught.

Safeguard other Workers

If you see fellow workers acting dangerously or irresponsibly, you have a duty of care to either tell them or bring it to the attention of your supervisors or managers.

It is in best interest for management to maintain the highest levels of safe work practices, and they cannot do that if they are not informed.

Wear Personal Protective Equipment

It is there for your protection.

If you have got it, use it. If you do not have it, get it.



Use Equipment Correctly

Safety lifting equipment such as slings, trolleys, tailgate lifters and forklifts make our work simpler and easier.

Though sometimes you may think you can just 'pick it up on the go', you need to be trained in how to operate and maintain all equipment correctly before you use it.

It is also important that you never try to fix our equipment unless you are qualified to do so. If you see equipment that need to be repaired, report it to your supervisor or manager so they can organise for it to be repaired or replaced.

Report Incidents and Injuries

You do not want injuries repeated, so if you have an injury, you must report it.

You should fill out an incident report form, not only in the case of an injury but also to report near misses that could have resulted in an injury. This ensures that action is taken to make sure measures are put in place to prevent further accidents or injuries.

Enforcement and Penalties

In some cases, if our risk management is not implemented properly, you or a work colleague may be injured and the company can suffer the consequences of lost time, compensation claims etc.

In other cases, not only your employer but you may be open to prosecution by WorkCover, the police or other regulators. Individual officers or workers could be prosecuted or the prosecution may be aimed at the company itself.

Penalties under the main Acts are generally monetary. Both individuals and companies can be penalised. However, regulators have wide-ranging powers to enforce WH&S standards in the workplace and can even close an operation down if they believe it is dangerous.

In extreme cases, such as industrial manslaughter, there is the possibility of criminal charges being laid against the company or its employees.

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Items Raised/Corrective Action	Action By	Action completed	
		Sign off	Date

DATE:.....

FACILITATOR SIGNATURE.....