

PORK SA GUIDEBOOK –

WORKPLACE HEALTH and SAFETY

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Disclaimer

The information contained in this booklet is intended as a guide only. The identification and assessment of many farm risks and associated control measures contained herein do not remove the farmer's ultimate responsibility for identification, assessment and control according to the relevant farm environment. Whilst every reasonable care has been taken in the preparation of this guide, all parties involved in its preparation do not accept any responsibility for errors or omissions it may contain.

This Guide has been developed to assist piggery owners and managers through the responsibilities covered under the Act, Regulations and, Codes of Practice. The intent is, to put in place a process aimed at the elimination of hazards, assessment and control of risks which exist at the piggery. To provide further assistance it addresses many risks encountered on piggeries and suggests possible safety controls.

The Guide is not exhaustive or entirely suited to every piggery. What control may work on one piggery to control safety may not be entirely suitable for a similar risk on another piggery or farm.

The Piggery Owner as the employer and/or PCBU, have the ultimate responsibility for identifying, assessing and, controlling risks. If any points raised aren't fully relevant, those points need to be amended until there is a safety fit.

If you need clarification on any aspects of this guidebook, you should obtain independent professional advice including from Pork SA.

This Guidebook has been prepared for Pork SA members only and is not be given or sold to other parties.

1. Introduction

THIS INDUSTRY SPECIFIC WORKPLACE HEALTH AND SAFETY GUIDEBOOK HAS BEEN CREATED FOR PORK SA MEMBERS WITH THE GRATEFUL ACKNOWLEDGEMENT OF PAST SUBSIDIES FROM WORKCOVER'S THEN SOLE CASE MANAGER, EMPLOYERS MUTUAL LIMITED OF SA (EML).

WE WISH TO ACKNOWLEDGE THE SUPPORT IN PROVIDING THIS UPDATED GUIDEBOOK AND SEMINARS AT ROSEWORTHY AND MURRAY BRIDGE IN MARCH 2014 BY;

- 1. PORK SA,*
- 2. THE AUSTRALIAN PIG INDUSTRY QUALITY ASSURANCE PROGRAM AND,*
- 3. FUNDED BY THE PIAG.*

PIGGERIES HAVE THEIR SHARE OF RISKS AND WHILST NOT AMONGST THE WORST PERFORMERS, THIS GUIDEBOOK SEEKS TO PROVIDE PIGGERY MANAGERS AND OWNERS WITH ANOTHER TOOL TO IMPROVE THEIR WORKPLACE SAFETY. THIS GUIDE IS INTENDED TO SUPPLEMENT THEIR QUALITY ASSURANCE PRACTICES AND LEGISLATIVE OBLIGATIONS.

THIS GUIDE HAS BEEN DEVELOPED TO ASSIST PIGGERIES TO UNDERSTAND THEIR LEGAL RESPONSIBILITIES AND HOW THEY CAN BETTER MANAGE HEALTH AND SAFETY ON THEIR PROPERTIES.

IT IS A REQUIREMENT FOR EMPLOYERS TO HAVE A COPY OF THE RELEVANT ACT AND REGULATIONS AVAILABLE FOR ITS EMPLOYEES, WHICH CAN BE DOWNLOADED AT [HTTP://WWW.LEGISLATION.SA.GOV.AU](http://www.legislation.sa.gov.au)

THE KEY PRINCIPLE IS THE 'DUTY OF CARE' RESPONSIBILITY IMPOSED UPON EMPLOYERS, EMPLOYEES, VISITORS AND, CONTRACTORS TO PROVIDE A SAFE PLACE OF WORK BY WORKING IN A SAFE MANNER.

THE WORK HEALTH AND SAFETY ACT 2012 ("ACT") AND WORK HEALTH AND SAFETY REGULATIONS 2012 ("REGS"), ARE THE STARTING POINT FOR PIG-FARMERS IN UNDERSTANDING THEIR STATUTORY RESPONSIBILITIES.

SOME MATERIAL HAS BEEN DRAWN FROM THE ACT, ITS SUPPORTING REGS AND WORKCOVER PUBLICATIONS, WHICH ARE EXCELLENT POINTS OF REFERENCE FOR THOSE SEEKING FURTHER INFORMATION.

2. Legislation

The “new” Act came into effect on 1st January 2013 and the Occupational Health, Safety and Welfare Act 1986 (SA) was repealed. It enforces a precise duty of care on employers and business operators and changes some of the terminology and expands the definition of the employer/worker relationship.

Some of the changes include the following;

- a) **“Employer”** has been replaced by Person Conducting A Business Or Undertaking (“PCBU”) and **“employee”** has been replaced by ‘employee’
- b) **Introduction** of personal responsibility and liability for company directors and managers
- c) A positive duty to conduct due diligence (overview at back of Guide Book)
- d) Changes to the rights and duties of Employees and other people at workplaces
- e) Strengthening the requirement for workplace consultation about safety matters
- f) Union right of entry and worker representation
- g) New enforcement and compliance regime
- h) Increase in penalties for non-compliance and jail term for both employer and Employees

The Act defines “employee” in Section 7 as

A person if the person carries out work in any capacity for a PCBU, including work as—

- (a) An employee; or
- (b) A contractor or subcontractor; or
- (c) An worker of a contractor or subcontractor; or
- (d) An worker of a labour hire company who has been assigned to work in the person's business or undertaking; or
- (e) An out employee; or
- (f) An apprentice or trainee; or
- (g) A student gaining work experience; or
- (h) A volunteer; or
- (i) a person of a prescribed class.

The person conducting the business or undertaking is also a **worker** if the person is an individual who carries out work in that business or undertaking

Section 8 of the Act defines “workplace” as

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.

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.

Failing to address health and safety risks can have significant social and economic consequences, made up of:

- a) families of deceased Employees left without a breadwinner
- b) reduced income and living standards for the injured worker and dependents
- c) change in lifestyle and impact on community
- d) young children left without parental care
- e) guilt and anguish of an employer over an employee’s death or serious injury
- f) financial consequences affecting profitability e.g. interruptions to productivity.
- g) Impact on the employer’s WorkCover premium.

The Act defines “Due diligence” as,

‘The care that a reasonable person exercises to avoid harm to other persons or their property’ i.e.:

- acquiring and updating knowledge of work health and safety matters
- understanding the operations, the hazards and risks associated with their business
- ensuring that there are appropriate resources and processes to eliminate or minimise health and safety risks arising from work being done
- ensuring that there are appropriate processes in place to receive and respond promptly to information regarding incidents, hazards and risks
- ensuring that the employer PCBU has and uses, processes for complying with duties or obligations under the WHS Act.

The **Work Health and Safety Act** 2009 is supported by Regulations and sets out the statutory responsibilities for business owners/operators including piggery owners and these guidelines are for the purpose of identification and control of risks.

Generally speaking, the Act spells out **who** is responsible for safety and **what** those persons are responsible for, whilst the Regulations spell out **how** responsibilities must or should be carried out.

For example,

- 1) the Act makes it clear that not only employers PCBU but also others such as Employees , contractors, Employees , manufacturers and suppliers of plant, machinery and substances have responsibilities for health and safety; hence health and safety is a collective responsibility – not just for the PCBU but also managers and those in authority especially directors
- 2) the Regulations set out **how** safety responsibilities should be carried out i.e. practical steps for PCBU in preventing injuries and illnesses at work, either for a range of specific risks such as
 - a) hazardous substances and chemicals,
 - b) working in confined spaces,
 - c) handling asbestos
 - d) working at heights or
 - e) spray painting,

or, for addressing the PCBU's key responsibilities ranging from identifying hazards in the work environment to introducing effective control measures.

Unless otherwise stated, **Regulations (referred to in this Guide Book as Division and Subdivision) must be followed exactly**. This is regardless as to whether the PCBU considers there is a better approach.

For this reason it is important for piggery farmers AND Managers to know whether there are any risks in the Regulations which apply to their properties. If so, they must follow the specified control measures exactly.

The Act and Regulations may include reference to a Code of Practice or the Australian Standards. These are developed by various bodies, such as manufacturers, Standards Australia or Government organisations.

They provide practical guidance on the preferred methods or procedures to achieve standards of health and safety for specific risks (e.g. manual handling) or products (e.g. ladders, chemicals).

There is no legal compulsion to follow them exactly but to do anything less than the standard suggests there has been a failure to exercise the duty of care. Also, as this guide is worked through, it's important to be mindful of the fact that whilst all Employees have the right to be kept safe at work, all persons either by family link, visitor or friendship must be given the same consideration.

It is therefore imperative that safety measures adopted on the farm to keep Employees, contractors, Employees and, others. "Safe" includes visitors, family members and their friends.

3. Work Health Safety Act 2012

As noted during the introduction to this Guide Book the Act was reviewed and updated in late 2012. Whilst the Act and Regulations continue to enforce regulatory compliance, PCBU must demonstrate due diligence in their approach to identifying, controlling and, minimizing risks to health and safety within the workplace.

a) Back Ground to Farming Accidents

In March 2013 SafeWork Australia published a report re Work related injuries and fatalities on Australian piggeries:

b) Worker fatalities on farms.

Over the eight years from 1 July 2003 to 30 June 2011,

- i. 356 Employees died while working on a farming property. This is 17% of all worker fatalities.
- ii. Nearly one-third of the worker fatalities on piggeries were Employees aged 65 years or over.
- iii. Incidents involving vehicles accounted for 71% of fatalities on piggeries.
- iv. Tractors were involved in 93 (26%) farm deaths, aircraft were involved in 48 (13%), light vehicles were involved in 28 (8%) and quad bikes were involved in 27 (8%).
- v. Of the incidents that did not involve a vehicle the most common involved being hit or bitten by an animal (18) and falling from a horse (11).
- vi. There were also 9 fatal shootings while Employees were attempting to remove vermin from around properties or destroying farm animals.

c) Bystander Fatalities on Farms

Over the same period as above the report considered,

1. 41 non-working people were killed on piggeries.
2. Of these 35 were children under the age of 10.
3. *Drowning* accounted for the highest number of the deaths.
4. Of the 13 deaths from drowning, 10 involved children who drowned in farm dams.

5. The other drowning's related to 1 in an irrigation channel, 1 in a creek and 1 in a cattle dip

c) Deaths and Serious Injuries 2013

An overview of farming accidents in Australia for the period 1st January to 31st December 2013 reveals,

Deaths -59 on-farm deaths were reported including:

- On-farm deaths included children.
- Quad related deaths were reported most frequently, followed by tractor incidents
- Off-farm deaths were also reported

Non-fatal Injury -102 non-fatal on-farm injury events;

- these included children less than 15 years of age.
- Quad related injury was most frequently reported, followed by tractors and silos
- pesticide incident that involved 12 people
- Various Pig handling injuries resulting in more than 14 days off work is **not uncommon.**

It is reasonably foreseeable that

- a) Misuse on a tractor including jumping on and off a tractor whilst it is in gear is a preventable risk and doing so will increase the likelihood of serious or even fatal consequences
- b) Farm Employees often work alone and may not be able to contact anyone if injured (refer to the Working Alone Policy Appendices I and J). Policies and procedures need to exist when accidents in those circumstances can be reasonable anticipated and foreseen.
- c) A farm worker can be injured or trapped and there may not be workmates to assist or to get medical help and processes need to exist to minimise the risk of injury or death?

- d)** The award prescribes unpaid meal breaks. Are these being taken (and enforced by the Piggery Owner or Manager) to minimise the risk of accidents due to fatigue?

A full version of this report can be downloaded from www.safeworkaustralia.gov.au?

- e)** Deaths involving quad bikes
- f)** The Safe Work Australia Report revealed that in the eight years 27 Employees died in incidents involving quad bikes. In addition another 5 Employees were killed while using an All-Terrain Vehicle (ATV).
- g)** In 20 of the 27 quad bike incidents the worker died due to the quad bike rolling over and pinning them underneath. In the other 7 incidents the worker was thrown from the quad bike while traveling over uneven ground.
- h)** The ground surface was identified as the major hazard in many of the deaths, with 7 of the rollovers occurring while traveling up or down an embankment, 5 occurring while traveling through a watercourse or irrigation channel and 4 hit a ditch. There were 3 cases where the quad bike hit a fence and 2 where it hit a mound
- i)** Typical quad bike fatality cases include:
- j)** Whilst driving a quad bike performing mustering, a worker contacted a barbed wire fence at speed and was thrown 7m. The deceased was not wearing a helmet and suffered severe head injuries
- k)** As another PPE example, consider working in hot and dry conditions, which can lead to heat stress (medical problems from heat stress shows as a common statistic) or, longer term, melanoma (which has overtaken lung cancer) – PPE such as bottled water, sunscreen, wide brim hats, long sleeve shirts, trousers and enclosed footwear should be considered and included in policies, procedures and letter of employment outlining WHS standards.

4. Approved Codes of Practice

Some Codes or Standards can be, and have been, approved by Parliament for incorporation into the Regulations as minimum standards for health and safety. This is because Parliament has recognised that it is difficult to come up with anything better and therefore those Codes or Standards should become a legal benchmark for risk control.

As a result approved Codes or Standards become legally binding.

If, the Regulations use the word 'must' in relation to a Code of Practice, which has been referred to in the Regulations, it must be followed exactly. However if a Code is referred to other than within the procedures of a specific Regulation it becomes the minimum standard to be followed.

An employer and PCBU can adopt an alternative practice to this minimum standard provided it is equal to or better than the approved Code.

Failure to meet mandatory or minimum obligations is an offence against the Act or Regulation and SafeWork SA can take legal action for a breach of the Act (a prosecution).

5. Why Worry about Safety?

a) Economic

The cost of death, injury and illness arising from workplace incidents runs into billions of dollars within Australia and ultimately increases the cost of goods and services for consumers. Cost estimates have been based on statistics recording Employees compensation payments, hospital, medical and all other associated treatment costs.

These are the direct costs but there is no recording of indirect costs due, for example, to

- a) counselling of traumatised Employees ,
- b) replacing injured Employees ,
- c) training hired staff, overtime,

- d) investigation of accidents, and
- e) lost productivity (from a farming perspective, the loss of a key worker at harvest time can be critical).

These indirect or hidden costs have been estimated to be from four to six times greater than the direct costs (the “ice berg effect”). Financially, there may be heavy legal penalties because of breach of Regulations or failure to exercise due care; also increases in Employees Compensation premiums.

The cost of Employees compensation affects the industry premium rate. Workplaces which experience Employees compensation claims will find that their annual premium will be higher than the industry rate.

Assuming a worker has been taken to hospital and is off work for three months. The weekly compensation, hospital, medical; and other treatment costs may amount to direct costs of \$30,000. But the less obvious or hidden costs may amount to something like \$150,000 (ice berg effect – costs unseen).

b) Social

Then there are the social costs –

- the devastation on an injured or deceased employee’s family, or
- the permanent disability of an employee, with no future employment prospects and reduced quality of life, and
- for the farmer – the death, permanent or serious disability of a farm hand on farm, particularly if the farm hand was a family friend, acquaintance, neighbour or relative.

Statistically piggeries are risky, because of the diversity of hazards – farm equipment and machinery (especially tractors, augers, silos, etc.), chemicals, physical and infectious disease risks of animals, exposure to elements, working at heights, noise which has a gradual impact on hearing, water risks from dams etc.

Recent industry statistics show that the most frequent cause of injury causing time off work is being hit by a pig.

Farms for young children piggeries are particularly hazardous.

c) The Farmer and Safety

Whilst other commercial operations may have dedicated Work Health and Safety Officers and support facilities, smaller farm employers may not have these facilities.

Piggeries are more likely to be isolated from those safety information sources or, experts that city and larger workplaces can readily refer.

Piggeries may not have the same level of reminders and safety audits.

During seasonal activities many pig-farmers and their Employees work extremely long hours, and can be exhausted. Consequently health and safety may be secondary in their thinking.

There may be the temptation to improvise when equipment breaks down. Not using machine guards, not wearing helmets on Quad bikes and, not wearing protective clothing and equipment regularly feature in on-farm accidents.

The problem is equally as difficult with contractors who come onto the farm as it is with Employees. It is just as critical for contractors to have an Induction as it is for Employees.

If any serious injury occurs there may be serious legal and financial consequences for both. A farmer may have vicarious liability to a contractor and the contractor's Employees.

It is critical that farmers provide an induction process for Employees, contractors and, visitors to explain safe working practices on the property.

Statistically farms, including piggeries, show far too many deaths (in 2013 in Australia more than one fatality per week occurred), accidents and health risks.

Piggeries are subject to random inspections by SafeWork SA. This could be the result of an aggrieved worker lodging a claim or be part of the SafeWork SA inspection program.

In addition to serious accident, a fatality or, an admission to hospital will result in an Inspector calling on the farm to investigate the incident(s). Non adherence to safety obligations and responsibility give rise to legal action including prosecution.

d) Safety does matter and risks need to be reviewed and controlled prior to commencement of work, during work and closing of seasons.

Please refer to Appendix L to review prosecutions that were handed down to employers who were found to have failed in their duty of care to Employees in related occupations to the farming industry.

6. Responsibility and Management of WHS

The Act emphasises **who** is responsible for health and safety and **what** they're responsible for. It addresses a number of people who are involved in the safety of the workplace, ranging from the obvious ones of employers PCBU and Employees to others such as contractors, building owners, suppliers of substances to designers(e.g. of farm machinery). The particular ones of interest for farm risks are farmers, Employees and workers and contractors .

a) What is *reasonably practicable* in ensuring health and safety?

Section 18 of the Act refers to a duty to ensure health and safety, it means that which is, or was at a particular time, reasonably able to be done in relation to ensuring health and safety, taking into account and weighing up all relevant matters including—

- (a) the likelihood of the hazard or the risk concerned occurring (foreseeable); and
- (b) the degree of harm that might result from the hazard or the risk (consequence); and
- (c) what the person concerned knows, or ought reasonably to know, about the hazard or the risk (knowledge/prior incidents/injuries); and
 - (ii) ways of eliminating or minimising the risk (control); and

- (d) the availability and suitability of ways to eliminate or minimise the risk; and
- (e) after assessing the extent of the risk and the available ways of eliminating or minimising the risk, the cost associated with available ways of eliminating or minimising the risk, including whether the cost is grossly disproportionate to the risk

b) Primary Duty of Care – Employer

Section 19 of the Act provides for the Duty of Care and requires that, the greater the risks, the greater the effort the employer and all Employees must direct towards ensuring, so far as is reasonably practicable, so that workplace activities do not place at risk the health or safety of themselves or others.

Some of these processes, responsibilities and requirements may be seen as onerous, bureaucratic and costly. However non-compliance may impact on the viability of your business and should therefore be taken seriously.

If there are several identified hazards or concerns, every reasonable effort should be made to have a program to rectify and comply with the more serious and risky issues, to be addressed first.

c) A person conducting a business or undertaking PCBU must ensure, so far as is reasonably practicable, the health and safety of Employees engaged in the business or undertaking.

The PCBU must ensure that persons are not put at risk from work carried out as part of the conduct of the business or undertaking by:

- i. providing and maintaining a work environment without risks to health and safety;
- ii. providing and maintaining safe plant and structures;
- iii. providing and maintaining safe systems of work;
- iv. ensuring the safe use, handling and storage of plant, structures and substances;

- v. provision of adequate facilities for the welfare at work of Employees including ensuring access to those facilities;
- vi. provision of any information, training, instruction or supervision that is necessary to protect all persons from risks to their health and safety
- vii. monitoring the health of Employees and the conditions of the workplace for the purpose of preventing illness or injury

d) Provision of Accommodation

If a worker occupies accommodation that is owned by or under the management or control of the PCBU and the occupancy is necessary for the purposes of the employee's engagement the PCBU must so far as is reasonably practicable maintain the premises so that the worker is not exposed to risks to health and safety.

e) Further duties of PCBU involving management or control of workplaces

Section 20 of the Act defines a 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 but does not include—

- (a) the occupier of a residence, unless the residence is occupied for the purposes of, or as part of, the conduct of a business or undertaking; or
- (b) a prescribed person.

The person with management or control of a workplace must ensure, so far as is reasonably practicable, that the workplace, the means of entering and exiting the workplace and anything arising from the workplace are without risks to the health and safety of any person.

A self-employed person can also be a person conducting a business or undertaking for the purposes of this section.

f) Person with management or control of fixtures, fittings or plant at a workplace.

Section 21 of the Act states that the duties of persons conducting businesses or undertakings involves management or control of fixtures, fittings or plant at workplaces

Person with management or control of fixtures, fittings or plant at a *workplace* means a person conducting a business or undertaking to the extent that the business or undertaking involves the management or control of fixtures, fittings or plant, in whole or in part, at a workplace, but does not include—

- (a) the occupier of a residence, unless the residence is occupied for the purposes of, or as part of, the conduct of a business or undertaking; or
- (b) a prescribed person.

Person with management or control of fixtures, fittings or plant at a workplace must ensure, so far as is reasonably practicable, that the means of entering and exiting the workplace and anything arising from the workplace are without risks to the health and safety of any person.

g) Duties of Employees

Section 28 makes provision for the duties of a worker

While at work, a worker must—

- (a) take reasonable care for his or her own health and safety; and
- (b) take reasonable care that his or her acts or omissions do not adversely affect the health and safety of other persons; and
- (c) comply, so far as the worker is reasonably able, with any reasonable instruction that is given by the PCBU to allow the person to comply with this Act; and
- (d) co-operate with any reasonable policy or procedure of the PCBU relating to health or safety at the workplace that has been notified to Employees.

h) Duties of other persons at the workplace

Section 29 of the Act states that a person at a workplace (whether or not the person has another duty under this Part) must—

- (a) take reasonable care for his or her own health and safety; and
- (b) take reasonable care that his or her acts or omissions do not adversely affect the health and safety of other persons; and
- (c) comply, so far as the person is reasonably able, with any reasonable instruction that is given by the person conducting the business or undertaking to allow the person conducting the business or undertaking to comply with this Act.

As an example Personal Protective Equipment (PPE) must be worn by Employees and other persons on piggeries, including but not limited those required for hygiene requirements, chemical handling procedures, and operating machinery and equipment in accordance with the manufacturers' requirements etc.

i) SafeWork Australia's report re Work related injuries and fatalities on Australian farms (March 2013):

Within the framework of responsibilities there are five steps involved in managing WHS, i.e.

- 1) commitment – not just the farmer PCBU has to be committed, but also Employees , contractors Employees and other persons who may be involved (commitment can include written commitment by all parties to understand and observe WHS responsibilities)
- 2) worker (employee) involvement in helping the employer to improve safety
- 3) identifying and controlling health and safety risks
- 4) maintaining health and safety within the farm activities
- 5) keeping safety records, which relate to how health and safety issues are addressed?

7. Overview of Six Steps in Management of WHS

First Step

Firstly, let's take an overall 'snap-shot' to get a better appreciation of what's involved. One method of doing this might be to review the SOPs in your QA Manual, to identify hazards in your current operations. (or maybe this is part of step 4 below).

Second Step



There must be commitment by the Piggery Owner, Manager, PCBU, Employees and, other relevant persons. For that reason a written policy statement by the farmer showing a commitment to safety, what is intended to have a safe working environment and, letting Employees and other relevant persons know what is expected is an excellent start. (Attachment A may be used as a guide)

Third Step



Next there must be involvement. This is consultation, in other words Piggery Owner/Manager, PCBU Employees, contractors and, other persons and vice versa, and getting and sharing ideas about risk improvement.

Fourth Step



With everyone switched on to safety, the piggery needs to be checked out – top to bottom – to find health and safety risks. Assess how the risks can either be eliminated or minimised, then document the control measures that have been decided upon. Make sure everyone knows what they are.



Fifth Step

Risks however don't remain static. Plant and machinery need to be maintained and regularly serviced to minimise risk. Risks can change or new ones emerge, making periodic audits and the encouragement of piggery Employees, contractors and other persons to report on hazards is important.



Sixth Step

Records must be kept in maintaining safety and identifying risks, such as Injury Registers, Training Registers, Machinery Registers, and Hazardous Material Registers

Keeping certain records is a legal requirement but can also be useful evidence the farmer is trying to take safety seriously. Near misses' should be recorded as well as accidents.

8. The Significant Importance of Having Workplace Health and Safety Policies and Procedures.

Developing a Health and Safety Policy is an important first step in gaining commitment. It is a written document in which the employer PCBU explains his or her commitment to health and safety, what the safety responsibilities are of management and Employees workers and how a healthy and safe working environment will be developed and maintained.

There should be discussion with Employees, contractors and other persons (if relevant), and if requested, relevant unions in putting the Policies together. Consultation must also occur when the Policies are reviewed and updated. Consultation is meaningful discussions about safety and sharing viewpoints, ideas and getting agreement. By getting others involved in the discussion, their commitment, ownership and accountability to safety is increased.

The policy should be written in plain English so it is easy to understand and

- affirms the Piggery Owner and Manager and PCBU are responsible for safety
- state who is/are the Officer/s and advise all Employees and contractors
- set out the responsibilities of the Officer/s, managers, supervisors, Employees workers, and any other relevant people (i.e. contractors) and how they will be held accountable for carrying out their responsibilities
- provide the name(s) or position(s) of the people to whom workers and contractors may make inquiries and complaints about health and safety issues
- be displayed and shown at the workplace to all Employees and workers and contractors.

A sample Workplace Health and Safety Policy is attached **Appendix A**, which can be used by piggeries as a guide for developing their own policy. It is also supported by general safety procedures which outline the steps to be followed in making sure the intent of the Policy works.

9. The Worker's (previously referred to as an employee) Involvement.

How can you get worker commitment unless it is steadily reinforced through consultation? **Section 47** of the Act places a duty on the employer to consult with Employees who are, or are likely to be, directly affected by a matter relating to work health or safety. Furthermore if the person conducting the business or undertaking and the Employees have agreed to procedures for consultation, the consultation must be in accordance with those procedures.

This means talking about safety with Employees, getting their ideas and creating alertness about risks. There should be discussion on

- a) the health and safety policy
- b) individual responsibilities
- c) identifying risks and finding solutions
- d) procedures or controls adopted for safety

- e) ideas for safety improvement, and
- f) work place change that may affect health and safety.

The Act and Regulations state that consultation must occur with Work Health and Safety Committees and Safety Representatives however, may have enough Employees to warrant a committee or representatives. If unsure of the requirement for safety committees or safety representatives refer to the WHS Act Division 2 Safety representatives and Division 3. Safety Committees.

Consultation is all about open discussion, evaluation and control of identified risks ensuring that all key parties take ownership, accountability and responsibility for maintaining a safe place of work. The objective of consultation is to create risk awareness amongst all key stakeholders so that each person can intuitively assess each situation for potential risk.

Investment in risk awareness, management and control of risks reduces accidents, saves time, injuries and possible death.

Consultation in other words is just plain talking about piggeries hazards and safety procedures that contribute to a risk consciousness. A few Employees of course may not listen, but others will. And they're the ones who, if they become risk conscious' will soon prod their less alert mates.

10. Identifying Workplace Health and Safety Risks.

An important step in managing work health and safety is making sure that all hazards are identified, the risks assessed, and effective control measures are developed and introduced as per Section 17 of the Act – Management of Risks.

To begin it is recommended that the farmer identify his/her property by drawing a map of the property and highlighting locations such as:

- the residence and all other farm buildings
- fences and gates
- access roads and tracks
- access to water (in case of fire)

- overhead and underground power lines
- terrain where it is unsuitable to use tractors or other farm machines because of slopes, ditches etc.
- silos and augers
- vehicle loading/unloading locations
- dams and watercourses
- chemicals and other substances
- habitat of dangerous animals or reptiles (e.g. snakes) and other potential risks.

Once the map is completed, it can become a systematic tool for working through sections of the farm, exploring for risks and highlighting the sections where they exist.

This will be a useful induction tool for new Employees or contractors Employees who enter the property, and who need to be familiar with the location of specific risks.

It also assists the employer PCBU by using each location as a systematic process of risk identification and assessment.

To identify risks to health, safety and welfare the employer can review SOPs to identify possible hazards in existing operations:

- conduct a walk-through inspection of the farm using a checklist to identify potential hazards (refer the **Farm Safety Checklist attached – Appendix E**); note that this checklist is not exhaustive and should be regularly updated as risks change or new ones are identified
- check records of injuries and incidents (including near misses) which have occurred in the past on the farm, to see what risks have occurred in the past and which should be included for current assessment
- read publications such as Regulations and approved Codes of Practice, which identify potential hazards of relevance
- ‘surf’ the internet on farm risks generally or on specific risks
- consult with-piggery workers to find out what risks they may have experienced or become aware of

- seek information from relevant manufacturers or suppliers of hazardous substances or plant, also from those service outlets which maintain and service the farm's machinery
- contact government agencies and other sources for WHS information

Risks can vary considerably and in adopting a systematic approach to risk identification and risk assessment it is important to understand that risks generally fall into four categories:

(1) Physical hazards

There are risks from animals – bites, kicks, gores. These include piggeries when handling pigs presents a most significant risk of injury.

The greatest risk is being knocked over by pigs. Pigs' bites are possible, and goring boar which hasn't been de-tusked are all possible events.

There is also the risk of needle stick injury, when injecting a moving animal.

Loud noise can interfere with concentration, or interfere with communication, affecting job performance and safety. Sustained noise over a long period can lead to hearing loss.

Heat can lead to dehydration and a fatal attack without warning. To a lesser extent there are the risks of heatstroke and sunburn.

Height risks for piggeries range from falls from ladders, rooftops, silos to windmills.

(2) Chemical and gas hazards

Chemicals can affect the skin, gain access through the digestive system or through the respiratory system. Their effects may not be immediately apparent hence leading to sustained exposure before serious symptoms become evident. Use of herbicides and pesticides would be the major farm risks in this category. The risk of poisonous fumes on piggeries may arise from working in confined spaces e.g. silos, water tanks and manure pits.

(3) Biological hazards

These hazards can involve viruses, bacteria, fungi or insects. As an example of bacteria, if meat products are infected with the bacteria Brucella, those handling the meat can contract the illness Brucellosis. Other transmissible diseases can occur from animals. Snake and spider bites would be relevant to farm risks.

(4) Other hazards

Manual handling is a recognised workplace hazard where handling heavy or difficult loads is involved, and this would be relevant to piggeries. Exposure to the elements is another hazard e.g. dehydration, sunburn (which includes melanoma risk). In recent times stress-related illness has become an increasing issue arising from examples such as sexual harassment, bullying, discrimination, workloads and workplace violence. These are serious enough as workplace health and safety issues but there may also be serious penalties involved for the employer through other legislation e.g. SafeWork SA can investigate claims for inappropriate behaviour and the Human Rights and Equal Opportunity Commission has wide-ranging jurisdiction.

(Refer to Appendix C Harassment Procedure)

What are generally considered the main dangers on piggeries? Three at the top of the list are:

- **Pigs-** as outlined above and appropriate handling and awareness of animal behaviour are important.
- **Firearms or equipment** used for euthanasia of injured or diseased pigs- must only be used by licensed & trained individuals.

- **Vehicles** – mainly tractors, more so those without roll-over protection, quad bikes and ATV.
- **Machinery** – Piggeries abound with machines ranging from feed mills to chain saws. Each machine presents its unique dangers and increases the complexity of operation.
- **Water** – dams, lakes, ponds, rivers, irrigation channels and creeks. They are usually unfenced and hence a real danger to unsupervised children.

11. Identifying Workplace Health and Safety Risks - Children.

At this stage there should also be consideration to the risks posed to children on the farm. What may not be considered a risk for an adult may well be a risk for a child!

For example, insecticides can be safely labelled for adults but children can't necessarily read or appreciate the dangers.

The risk of a water dam can be readily appreciated by an adult but not by a child.

Particular risks for a child on the piggeries can be:

- Machinery
- Pigs
- Chemicals and poisons
- Firearms
- Water hazards
- Fire hazards
- Suffocation within silos or storage bins
- Falls from ladders or roofs
- Electrical hazards.

Children aren't necessarily those of the farmer. They can be visiting children or children trespassing. Children want to get involved with everything, whether riding or clambering over a tractor or getting amongst farm animals. They have a poorly developed sense of danger, natural curiosity and narrow range of vision, which can all result in leading them into situations of danger.

Dangers to children can be presented by:

- Machinery – e.g. being run over, or getting caught in machinery parts, in which inadequate guarding can be a factor
- Animals – e.g. being knocked over, bitten or trampled by pigs
- Chemicals and poisons – e.g. access to chemicals not stored safely, or containers cast into heap but with residual chemicals (note that because of body weight children will be more prone to serious or fatal poisoning than adults)
- Firearms – e.g. access to firearms not stored safely or allowed to use firearms
- Water hazards – e.g. dams, creeks, rivers, storage tanks and even water troughs
- Heights – e.g. falling from ladders or shed roofs or into pits
- Electrical hazards – e.g. fuse boxes, wiring without safety switches, tools and wiring in poor condition
- Silos, storage bins, septic tanks, cellars, bores, wells etc. – e.g. suffocation or entrapment in grain, drowning in water or in areas of gases or low oxygen levels.

In doing any risk identification, it is easy to overlook that what may be safe for an adult is not necessarily safe for a child. A well may be suitably guarded for an adult, but not sufficient for a child.

Chemicals lying about (and or decanted into drink containers), unguarded machinery and unrestricted play areas are particular hazards for children.

Consequently it really does take fresh eyes to identify risks with children in mind.

In 2007 two children drowned after climbing a ladder to the top of a water tank.

The loss of a child is devastating. Worse still if it's your own!

12. Assess the Risks.

When hazards have been identified, their associated risks must be assessed. Risk assessment means the process of evaluating the probability and consequences of injury, illness or disease arising from exposure to identified hazards re Section 17 of the Act address the process for risk assessment which involves consideration of:



- the nature of the hazard
- how it may affect health or safety (what type of injury, illness or disease could occur and how serious they are)
- how Employees are exposed to the hazard
- the way that work is organised
- the training and knowledge needed by a person to work safely
- the layout and condition of the work environment
- Employees affected (e.g. women, Employees with disabilities or limited experience etc.)
- how much, how often and for how long Employees are exposed
- the location
- type of control measures that are available.

There is no 'right' answer in deciding on how any risks identified should be controlled. People will vary in decisions about risks because they have different ideas about what is acceptable. That's why the Act and Regulations stress the consultation process in order to canvas collective viewpoints.

Having identified the risks, the control measures need to be worked out. This should be done in priority of the scope, severity and likelihood of the risk.

For example, a risk which is **most likely** to occur may affect **many** farm Employees and result in **varying disabilities** from cuts, bruises to fractures. This would be a higher priority than a risk which may result in **fatal injury** but is **most unlikely** to



occur. However a risk which is more likely with fatal results is a high priority. Working out priorities makes sure that minor risks don't receive early attention at the expense of more serious risks.



The **Risk Assessment Guide in Appendix F** provides a tool for working out priorities, based upon likely frequency of risk and how severe resulting injury might be. This way, higher risks are ranked first for quick attention on risk control.

The term 'reasonably practicable' is found within the WHS Act 2012 legislation, Codes of Practice and Guidelines and this Guide Book. For example, that Act states every employer PCBU has a duty to each worker to **ensure so far as is reasonably practicable** that the worker is, while at work, safe from injury and risks to health. No employer can realistically keep Employees totally safe. For example, to make sure Employees are working safely can an employer economically afford to have a supervisor checking each worker every hour of the day? Or a detailed daily check of a farm machine to ensure it is safe?



Does Electrical wiring comply with AS/NZS 3000: SAA Wiring rules?

The emphasis is on what is reasonable.

Identifying hazards through risk assessment is only the first step in controlling the risks to Employees and others.

The following four points have been developed by past court decisions. When determining what is reasonably practicable, employers must consider all of these points:

- the severity of the hazard based on hazard identification and risk assessment (if the hazard is serious then immediate attention may be necessary; the

employer can't argue there were other priorities but which may have been of lesser risk)

- knowledge about the hazard and ways to control it based on universal (worldwide) knowledge - not personal knowledge; the employer may not be able to argue he didn't know that better controls could have been found from research
- availability and suitability of control measures - what is available universally (can we make it ourselves, can we still do the job safely, is it the right control measure, does it meet the legislative requirements?).
- cost - i.e. can the employer immediately afford the cost of control measures? If not, can a temporary fix be adopted? Is there a cheaper alternative that will fix the problem in the short term?

If the farmer experiences difficulty with making a decision based upon any of these factors, contact Pork SA.

13. Control the Risks.

As far as possible a risk should be controlled at its source e.g. by risk elimination, rather than trying to make the worker (employee) 'work safely' in a dangerous environment or having the worker (employee) wear protective clothing and equipment. Obviously if the risk can be eliminated, no control measures are necessary.

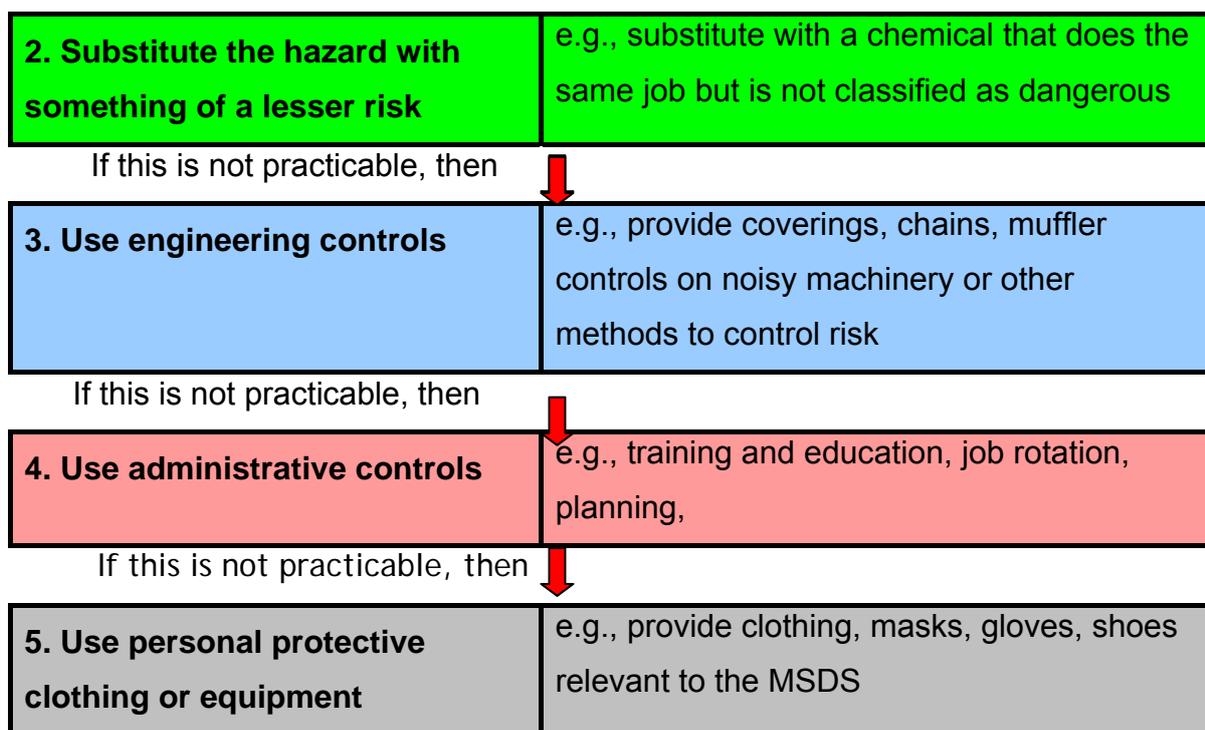
If not, then it's necessary to work through a list of other options, often called the Hierarchy of Controls. This means working from the top of the Hierarchy to get better results, starting with elimination of the hazard.

The Hierarchy of Control Measures Table (*Example for Using Chemicals*)

1. Eliminate the hazard	e.g., eliminate the use of a dangerous chemical on the farm
--------------------------------	---

If this is not practicable, then





Don't work on control measures from the bottom of the list and up as they are mostly less effective. They should only be regarded as interim measures until preferred ones can be implemented e.g. wearing gloves and masks when using chemicals, until a much less dangerous chemical is found which does the same job.

Once all risks have been identified, assessed and control measures decided in consultation with concerned personnel, this must all be converted into a **Work Method Statement (WMS)** for each risk. These WMS outline the working procedures and controls which have been designed for safe working and are to be followed by all personnel. They are to be distributed to all farm Employees for review and training, with an understanding of the consequences for failing to observe any procedures. Consequences can consist of performance warnings and dismissal by the employer PCBU or legislative penalty for breaching a Regulation or duty of care.

A range of Work Method Statements are attached for various farm risks within **Appendix G**. These are intended as guides only which can be modified as necessary to accurately fit the relevant farm risk. Remember, it's the farmer's responsibility to identify and assess the risk, and then introduce those control measures he or she thinks is appropriate. Two or three people may differ on what is considered to be the best control. That's why consultation is useful.

In effect, the WHS Policy associated Procedures and Work Method Statements for each identified risk represent a manual for ongoing review and contribution for improvements, induction and training.

14. Firearms.

The Firearms Act of 1977 and supporting Firearms Regulations of 2008 provide strict guidelines for control, use, storage and possession of firearms.

There are numerous types, classes and prescribed firearms available incorporating but not limited to air guns, air rifles, grenades, shot guns and automatic firearms. For a full breakdown of firearms refer to pages 4 and 5 of the Firearms Act 1977 and page 4 of the Firearms Regulations 2008.

Every employer PCBU has a responsibility to ensure only those who hold appropriate licenses operate firearms.

They must also ensure that they encourage responsible behaviour amongst Employees, contractors, labour hire personnel, Employees and, other persons to secure all firearms and ammunition as per Part (6) Section 38 Firearms Regulations 1977.

Employees must obey instruction for the safe use of firearms at all times whilst carrying, handling and operating firearms and carry their firearms permit or firearms license at all times.

They must also ensure that the firearm is returned unloaded and unused ammunition stored away at the conclusion of the day.

(Refer to Firearms Policy Appendix B)

15. Drugs and Alcohol.

An area that is often missed for inclusion in risk control is the management of any drug or alcohol issues that arise in the workplace.

Section 28 of the Act - Duties of Employees and Section (19) Duties of Employers PCBU provide clear guidelines for each individual responsibility when it comes to controlling the risk to self and others

It is recognised that the inappropriate use of drugs and alcohol may impair an Employees ability to maintain safe work practices affecting themselves and the safety of others.

Employees and (other persons) must take responsibility for ensuring the health and safety of themselves and others and that his or her acts or omissions do not adversely affect the health and safety of other persons

Arriving at work in an unfit state for work due to being under the influence of drugs or alcohol may place themselves and others at risk

By definition '**Drugs**' mean both illegal substances and prescription drugs

'**Unimpaired by drugs or alcohol**' means that work performance is unimpaired, ensuring no increased risk of endangering the safety of the worker and other persons, members of the public or property.

If a worker (or other person) is prescribed a drug by their doctor (or taking non-prescription drug) which may have side effects such as drowsiness (check the label or ask the doctor) then they have a responsibility to advise their employer PCBU so that suitable alternative duties may be assessed (if available).

If a worker or other person believes that someone they are working with is under the influence of drugs or alcohol, they have an obligation for the safety of themselves, the suspected affected worker and others to consult with their employer as soon as possible.

Employers have a responsibility to manage the issue of drugs and alcohol in the workplace by practicing intervention and prevention measures by:

- Seeking to develop a culture that recognises that drugs and alcohol have no place at work
- Encouraging responsible behaviour amongst its Employees , contractors, labour hire personnel, Employees and, other relevant persons
- Training Employees , contractors, labour hire personnel Employees and, other relevant persons to comply with the requirements of this procedure during the induction period
- Encouraging and assisting all Employees , contractors, labour hire personnel Employees and, other relevant persons with drug or alcohol related problems to seek medical assistance and or treatment
- Ensuring confidentiality is maintained at all times in these matters
- No worker or other person is discriminated against or disadvantaged by his/her actions in this matter.

Every opportunity and assistance should be given to a worker or other relevant person to improve their standards with regards to their understanding of their obligations in relation to drugs and alcohol in the workplace.

(Refer Appendix D Drugs and Alcohol Policy)

16. Maintaining Workplace Health and Safety.

Now that risks have been identified, assessed and controls introduced we need to recognise that risks don't remain static. They can change or new ones emerge, so

- all farm personnel are required to be constantly alert and consulted
- audits need to be maintained as regular as necessary
- Whenever an injury, or an incident (near miss) which could have resulted in injury, occurs this needs to be assessed and controlled as a new risk or existing controls revised.

Plant and machinery needs to be maintained and regularly serviced. Operating manuals on use and servicing should be kept for ready reference. Keeping a register of repairs and maintenance is important. If anything should happen that results in an injury a register confirms that actions were taken to minimise risk. Damaged tools or equipment should be set aside, and tagged out (Out of Order) so they can't be inadvertently used.

Piggery Employees should be encouraged to report on any hazards so that safety steps can be taken until controls have been put into place. There needs to be procedures and training in place for emergencies such as fires or chemical spills. Bush fires which may threaten a farm are special risks. Without training for such emergencies, panic and confusion can lead to unnecessary loss of life.

Employees must be trained to do their jobs safely as specified in Section 19 (3f) ALL Employees need to know the risks associated with the task, what safety equipment may be necessary to control the risk and the consequence of improper use.

Training is most important for new Employees, who statistically have a high rate of injury. New Employees don't always receive the information, training or supervision they require. This takes time.

New Employees may be reluctant to raise safety issues as they don't want to appear troublesome or unintelligent.

They need sound induction, clear instructions that are checked for understanding (competency), and supervision. Induction training is essential for hazardous work that they have not done before.

If new Employees claim that they have the qualifications or certification required for their job the farmer must check this out rather than take it for granted (i.e.: view all licenses and accreditation to undertake specialised work.

Training to do jobs safely must include an understanding of matters like:

- a) Hazardous substances and chemicals
- b) Work method statements or Standard Operating Procedures which have been put in place
- c) Use of personal protective equipment
- d) Reporting of risks and 'near misses'
- e) Hygiene
- f) Bullying
- g) Discrimination and sexual harassment
- h) Company policies and procedures
- i) Making Employees Compensation claims.

Training should emphasise that managing WHS on the farm is a joint venture between employer PCBU and Employees. Breaches of WHS Statutory obligations may result in prosecutions of employers and Employees. Maintaining workplace safety is a serious obligation.

There must be accessible first aid facilities in the event of illness or injury and their location must be known to all Employees (this can be covered during induction). Burns, wounds, snake and spider bites, and chemical reactions are likely occurrences on piggeries and it is advisable to have a nominated person on the piggery who can administer first aid when necessary.

There is an approved Code of Practice for Occupational Health and First Aid in the Workplace. SafeWork SA has a detailed booklet as an important guide to treatments

and what should be contained in the kit which conforms to the Code. SafeWork SA can be contacted as follows:

General enquiries 83030400

Workplace accidents 1800 777 209

Email: help@safework.sa.gov.au

There should be regular safety audits (at least annually) such as

- a) identification and assessment of new risks
- b) guards on machines in place,
- c) ladders secure,
- d) the first aid kit stocked,
- e) machinery serviced as necessary,
- f) chemical MDS current (issue date does not exceed 5 years)
- g) chemical containers labelled to clearly identify their contents and providing relevant basic health and safety information; disused containers cleaned out so that no hazardous substance remains,
- h) safety training occurring as necessary,
- i) emergency procedure drills e.g. fires, chemical spills,
- j) adherence to safety procedures whilst undertaking work,
- k) group discussion on safety improvements or new risks etc.
- l) safety signage.

17. Workplace Health and Safety Records and Information.

The WHS Policy and Procedures have been addressed, as have the **Farm Safety Checklist** and the **Risk Assessment Guide**. Other documents in support of the WHS risk management system are reviewed below, some of which are referred to in the Regulations.

Apart from Statutory requirement, they represent documentary evidence of the Farm Owner's commitment should SafeWork SA conduct any safety audits.

1 Induction Checklists for New Employees /Contractors

These are checklists for Employees and contractors to ensure that the job and its responsibilities are explained, introductions to other farm personnel and facilities are carried out, any training needs are assessed and the WHS system is explained. Refer –

- **Induction Checklist for New Farm Employees Appendix H**
- **Induction Checklist for Contractors Appendix J**

2 Health and Safety Training/Induction Register

This document (**refer Register Appendix K**) is a record of all training or induction that the worker participated in.

All employers PCBU, including Officers and Supervisors, need instruction and training so they that they are aware of their responsibilities and the actions they must take to ensure Employees are safe from injury and health risks. Safety Representatives (if any) need training as specified in the Regulations. WHS Committee members and supervisors also need to complete training courses.

There are a number of courses for Safety Representatives and the responsibilities of Officers and PCBU.

ALL Employees must be provided with instruction and training that is required to do their work safely. This is a requirement of **Section 19 (3f)** *“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”*

3 Workplace Injuries

Whenever there is a work-related injury, near miss, illness or disease, a record must be kept of the injury in an Injury Register, regardless of whether the event required medical treatment or whether time was lost (refer attached **Injury Register Appendix N**).

This Register provides a detailed record of the occurrence and must be kept for three years. This should include 'near misses' hence it is important that Employees are encouraged to report these types of occurrences immediately or as soon as practicable.

The Register provides the employer with the opportunity of reviewing each incident and deciding whether existing controls are adequate and need review. Historically the Register can identify trends, such as recurring eye injuries, allergies etc. Individually an occurrence may seem innocent but a number over a period may be an indicator of an issue which represents a valuable resource for analysing accidents to determine trends which warrant further investigation.

It is useful, in fact important, to have with the Injury Register a list of any hospitals, medical centres, emergency services or fire services with addresses and phone numbers, so that there is a ready reference for emergencies. Employers and PCBU must not interfere or alter a site of a notifiable incident.

Section 39

- (1) Empowers SafeWork SA to enforce penalties for disturbing or deliberately tampering of an area where the incident occurred.
- (2) Reference to a site includes any plant, substance, structure or thing associated with the notifiable incident. Associated with the notifiable incident.
- (3) Subsection (1) does not prevent any action—
 - (a) to assist an injured person; or
 - (b) to remove a deceased person; or
 - (c) that is essential to make the site safe or to minimise the risk of a further notifiable incident; or
 - (d) that is associated with a police investigation; or

(e) for which an inspector or the regulator has given permission.

Section 35 “Notifiable incidents” mean:

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

4. Hazardous/Dangerous Substances Register

This Document (**Appendix O**) is important in identifying chemicals and other substances on the farm and the Personal Protective Equipment required. It also ‘flags’ whether Material Data Sheets (MDS) are available and current, which they should be, in order for users of chemicals or substances to review the dangers their use may present and the necessary precautions which should be taken.

The Register also identifies where the chemicals or substances are located. Naturally, chemicals or other substances should never be placed in unlabelled containers.

5. Hazardous/Dangerous Substances Storage Matrix (Appendix H)

This tool is a guide to assist in the correct storage of the substance which, when stored next to or near to another substance, can become volatile. **Storage Guidelines for Dangerous Goods** explains the classification of dangerous goods within the Matrix.

Exposure Routes and Control Guidelines for Hazardous Substances provides an additional reference guide for controls of hazardous substances according to the dangers represented by the substances.

6. Machinery Plant Equipment Register (Appendix G)

This Document is important in identifying all machinery etc. on the property and is used to ‘flag’ safety and maintenance checks, the existence of operating procedures and personal protective equipment required. Like the Hazardous Substances Register, the Machinery Register serves as an ongoing reminder for important safety actions.

18. Workplace Amenities.

In maintaining a safe workplace, some farmers may overlook one of their responsibilities in relation to providing adequate facilities for eating, accommodation and recreational facilities for the benefit of their Employees. **Section 19 (3e) requires employers and PCBUs to “provide adequate facilities for the welfare at work of Employees in carrying out work for the business or undertaking, including ensuring access to those facilities”**

This is further reinforced via Section 41 Regulations “A person conducting a business or undertaking at a workplace must ensure, so far as is reasonably practicable, the provision of adequate facilities for Employees , including toilets, drinking water, washing facilities and eating facilities”

To achieve this responsibility the farmer must consider reasonable access to toilets, facilities for changing clothes and the storage of personal belongings. Dining, washing and seating must also be considered. Some properties (e.g. orchards, vineyards etc.) need to provide accessible toilets and cleaning facilities within a reasonable distance of the work area.

The employer PCBU must also consider access for people with special needs (disabled).

Naturally toilets are essential for health, and if unavailable Employees may reduce their fluid intake which places them at risk of dehydration and heat stress. Separate toilets should be available for male and female Employees whenever practicable. However if privacy can be assured, it may be appropriate to provide only one toilet (if the toilet facilities are unisex this must be covered off in induction to ensure all Employees are informed).

Cleanliness of facilities (toilet and shower room)

Where the nature of the work is such that the worker requires showering after completion of the relevant task, there must be access to a suitable facility and it must be in a clean and hygienic condition for safe use.

Further considerations for the health and wellbeing of Employees

- a) Adequate supply of cool and potable drinking water for each worker
- b) The temperature of the water should be at or below 24 degrees Celsius and should be separate from toilet and washing facilities.
- c) Access to a rest area for Employees feeling unwell or a process for sending home or referring to doctor
- d) Reasonable access to seating.

Note that the word 'reasonable' occurs throughout these Regulations. Naturally piggeries won't have the same standard of facilities that city businesses would have, hence the word 'reasonable' allows flexibility in meeting the Regulations according to environmental factors.

19. Investigation of WHS Injuries or Risk to Health Amenities.

Whenever injuries or health risks occur, including 'near misses', the farmer should carry out an investigation as soon as possible. How far the investigation goes depends on the circumstances of what happened, e.g. whether the incident is minor or more serious, and whether more than one worker was affected. It's important to find out **what happened** and **why** in order to **prevent** a similar **future occurrence**.

An investigation should identify all possible causes of the occurrence, including causes other than 'human error' or 'worker carelessness'. In many cases of injury there may be more than one factor involved. i.e.: A worker slips on oil on the floor of the machinery shed.

Questions to consider:

1. Was the worker wearing suitable footwear
2. Had the worker been alerted to the possible risk
3. If yes by whom
4. Who spilled the oil and why wasn't it cleaned up
5. Was the housekeeping poor
6. Who was responsible for checking housekeeping standards?

Investigations require an open mind about all possible causes and gathering information, analysing it, drawing conclusions and making recommendations. For a serious occurrence it may mean taking notes, drawing a plan of the scene or taking photographs as soon as possible to avoid reliance on memory and to keep as evidence.

The investigation should focus on the conditions as they were at the time and who were witnesses to the occurrence.

If there has been a death or immediately notifiable injury/incident the **site must not be altered in any way without the permission of a SafeWork SA inspector.**

Further, steps should be taken to **preserve evidence and witnesses should be identified and information gathered as soon as possible.**

Photographs may be taken both of the general area and specific items. Subsequent study of photographs may reveal conditions missed at first. Sketches of the scene based on measurements taken may also assist the subsequent analysis. These can record the position of equipment, the injured worker and witnesses.

Broken equipment, debris and samples of material involved may be removed for further analysis by appropriate experts following consultation first with the SafeWork SA inspector. Notes should be made to identify where these items came from.

Every effort should be made to interview witnesses and they should be interviewed as soon as possible after the occurrence. Interviews should be conducted individually rather than in a group to avoid distortion in the minds of witnesses as to what happened.

There should be no attempt to lead the witness. Ask open questions. Tact should also be used in the questioning process to the effect the interviewer is not pursuing culprits to blame. If the procedures at the time involved a Regulation or approved Code of Practice, questions need to take into account how those procedures were being followed.

Possible questions may include:

“What did you see or hear?”

“Was there clear visibility?”

“How far from the injured worker were you?”

“What was the worker wearing?”

“What do you think was the cause?”

“What can be done to prevent this happening again?”

The most important final step is to make well considered recommendations for the prevention of a recurrence. By documenting the investigation and conclusions, the farmer then has formal evidence for changing or introducing new Work Method Procedures or for presentation to external investigators.

A written report should be prepared as a record of the investigation for consideration of SafeWork SA if necessary and any others who need to know (e.g. other persons/contractors whose actions may have been a contributing factor to the occurrence). It should detail the sequence of events leading up to the occurrence, the range of causes and witnesses to the event. The final conclusions drawn should be fully explained.

The employer or PCBU has an important stake in a well prepared report with detailed analyses and sound conclusions. It provides a foundation to make sure it never happens again, but also if there is any suggestion of legislative breach a thorough investigation may avert legal penalty.

A later investigation may not always be as precise or conclusive when dealing with facts or recollections after the event.

Some investigations can be more difficult because not all injuries are of a physical nature. There are psychological injuries that occur as a result of a trauma or inappropriate behaviour. A witness to a serious accident may need critical incident debriefing and be diagnosed with post-traumatic stress. A worker subjected to harassment, bullying or inappropriate behaviour may also have a compensable injury.

Employers and PCBU need to treat these types of injuries just as seriously as physical injuries and conduct full and proper investigations.

Employers and PCBU need to be proactive and have an arrangement to refer Employees to a Worker Assistance provider. For those who don't know who to contact, a good starting point is Pork SA.

20. Reporting Incidents to SafeWork SA.

As noted previously reporting of notifiable incidents to SafeWork SA within 24 hours via 1800 777 209 (24 hour service) is mandatory for:

- any work related injury which causes death
- any injury which has acute symptoms associated with exposure to a substance e.g., the worker is burnt by acid or solvent, develops serious rash after coming into contact with a chemical, or falls unconscious after breathing in a substance
- Any injury that requires immediate treatment as an in-patient in a hospital.

SafeWork SA will decide whether an immediate investigation is required and may send an inspector to the farm to investigate and prepare a report.

This Regulation further requires employers to report all dangerous occurrences which causes an immediate and significant risk to a person, attributable to

- the collapse, overturning or failure of the load bearing of any scaffolding, lift, crane, hoist or mine-winding equipment
- damage to or malfunction of any other major plant
- the unintended collapse or failure of an excavation more than 1.5 metres deep (including any shoring)
- the unintended collapse of the floor, wall or ceiling of a workplace building
- an uncontrolled explosion, fire or escape of gas, hazardous substance or steam
- an electrical short circuit, malfunction or explosion
- an unintended event involving flood of water, rock-burst, rock fall or ground collapse
- Breathing apparatus malfunctioning and endangering the user's health.

A person does not have to be injured — it is the risk which is important. The risk may arise if a person is or could have been in or near the incident or event.

A notifiable dangerous occurrence must be reported by phone as soon as practicable. A Notification of Dangerous Occurrence form must also be completed and sent to SafeWork SA within 24 hours. This form is available on <http://www.safeworksa.gov.au> or by calling 1300 365 255.

Reports to SafeWork SA and should include the following information:

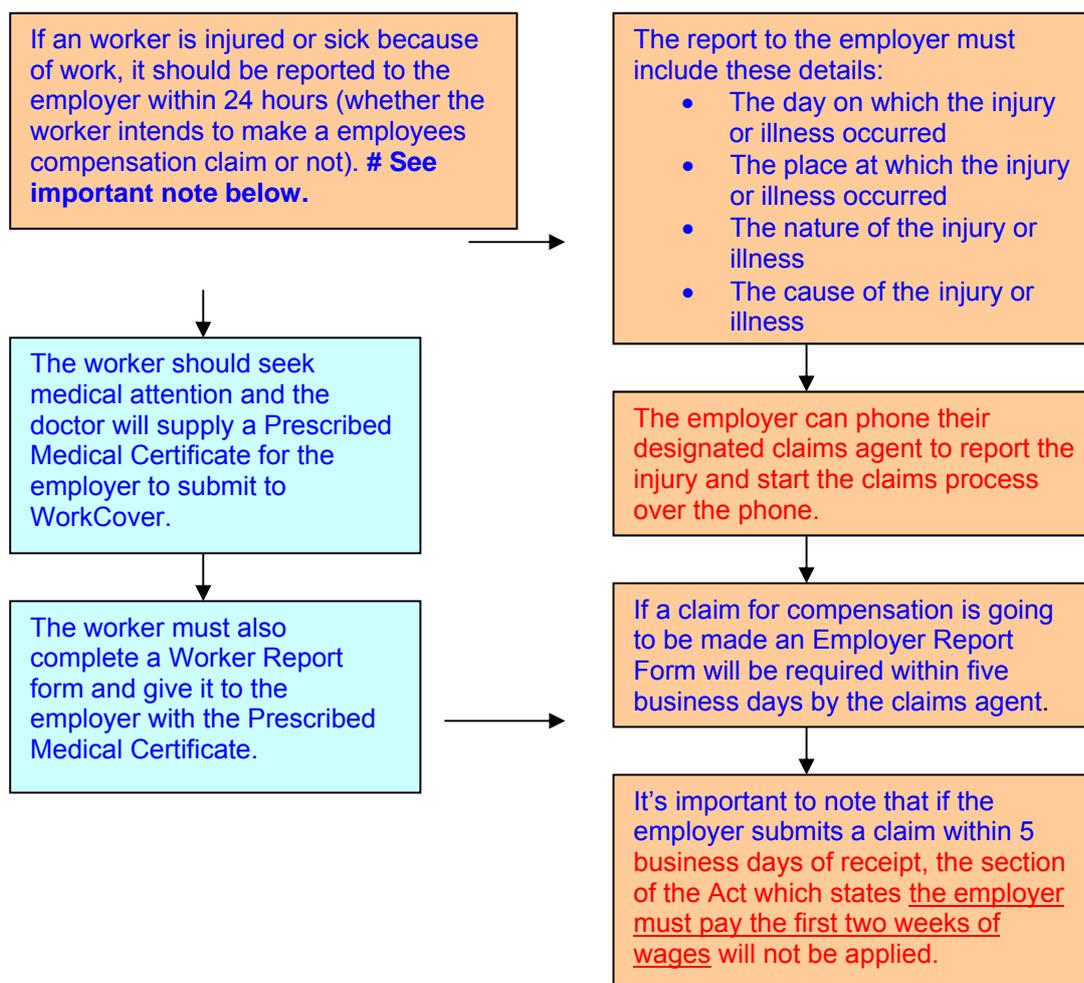
- the name and business address of the person giving the notice
- date and time of the event
- the place where the dangerous occurrence happened
- whether any injury or fatality occurred
- the apparent cause
- the nature and extent of damage
- the work that was being carried out.

21. Workers compensation claims – Injured workers.

Under the Employees Rehabilitation and Compensation Act, 1986, all South Australian Employees, are covered for Employees compensation for work-related injuries.

The Employees Rehabilitation and Compensation Act 1986 is administered by the WorkCover Corporation through Employees compensation agents licensed by WorkCover. Employers Mutual Limited or your licensed claims agent to provide claims management services to the farmer and injured Employees, and through proactive advice, support and consultation with all parties the earliest possible return to work can be achieved.

The following chart outlines the claims process:



The WorkCover site can be accessed via www.workcover.com and the claims agents can be contacted via EML: 08 81271100 or your Claims Agent
Report Forms can be obtained from either the agent or through a listed Post Office.

The obligation for the employer to pay the first two weeks of compensation (wages).

An Employer can have the two weeks' pay waived if the claim is reported to the claims agent within five business days and the worker wage details are provided to the case manager within 48 hours of request.

As explained earlier, when a fatality occurs at work, or a worker requires admittance to a hospital due to illness or injury at work, the employer must immediately report the incident to SafeWork SA on emergency telephone 1800 777 209 (24 hour service).

Example: *Reporting a notifiable injury to SafeWork SA and the claims agent – excerpt from WorkCover web site;-*

Simon operates a company that provides specialist electrical services. One of his Employees, John, is involved in a workplace incident that requires him to be admitted to hospital.

What are the steps Simon should take?

Firstly, Simon should make sure that John receives appropriate medical treatment and care.

Simon should then notify SafeWork SA of the incident (within 24 hours) and record details of the incident for his record-keeping and occupational health and safety purposes.

As John will require time off work to heal from his injury, he should make sure he has a Prescribed Medical Certificate (PMC) and lodge it (through Simon) with a claim for Employees compensation using the Worker Report Form.

Simon should complete and forward an Employer Report Form together with John's Worker Report Form to his agent.

Simon should then carefully examine the nature of the incident and take steps to minimise the risk of it happening again.

Employees need to be informed of what they have to do in the event of any work injuries or illnesses.

Any immediate family member of a deceased worker should seek advice from the agent Case Manager as soon as possible. Support mechanisms are in place to provide trauma counselling as well as monetary assistance.

22. Rehabilitation of workers.

The Employees Rehabilitation and Compensation Act 1986 (Act) relates to the rehabilitation of injured Employees and their return to productive work. Rehabilitation is all about returning the injured worker to safe, sustainable and meaningful work as soon as possible.

Research shows that employers who promptly offer suitable modified/alternative duties that are within the Employees restrictions are able to reduce the time lost by at least 30%.

Understandably this all takes time on the part of the employer, in this case, the piggery owner. This further underlines the importance of preventing injuries occurring in the first place.

Another influencing factor in the return of injured Employees to work as soon as possible is the prompt notification of injuries by the farmer to their representing agent. Early notification means that rehabilitation intervention can start quickly whereas the longer the worker is off work the greater the difficulty there will be for the worker to return to work.

The Act establishes the legal obligation of the employer to provide suitable duties to an injured worker during their return to work process. An employer PCBU should always consult with their agent should there be difficulties in providing work which meets the employee's capacity. It is a breach of Section 58 if an employer dismisses a worker without the prior approval of the agent or WorkCover and they can be liable for a penalty (fine) and increase in their WorkCover premium.

The best therapy for an injured worker is getting back to work quickly! Being away on WorkCover can make the worker sick and the employer's levy premium increase.

23. Penalties.

Failure by either party in relation to exercising due care can have the following penalties:

- A **business/Corporation** operator up to \$3 million
- An **officer's** failure to properly exercise due diligence and or comply with the duties set out in the legislation may result in criminal conviction and penalties of up to \$600,000 and or 5 years imprisonment

- An **employee's** failure to properly exercise due diligence and or comply with the duties set out in the legislation may result in criminal conviction and penalties of up to \$300,000 and or 5 years imprisonment

NB these penalties applied at time of printing this Guide Book may increase.

24. When an Inspector Calls.

Inspectors from SafeWork SA can call at any time to audit a farm's safety practices and to see whether the farmer is complying with legislative requirements. Inspectors do not need an appointment and may call at any time to carry out an inspection, investigate an injury or incident that has occurred, audit health and safety records required under legislation or take other action. They can examine records, take photographs, take measurements of injury scenes or take witness statements. They may also take statements from Employees about WHS practices, if any, on the property. It is an offence to hinder or obstruct inspectors doing their job.

An inspector can issue two types of legal notices for Statutory breaches — 'improvement' and 'prohibition' notices. An improvement notice sets out details of the breach or breaches, including possible directions about resolving the problem. A prohibition notice relates to any immediate risk to health and safety and prohibits the performance of unsafe work. This work cannot recommence until adequate steps have been taken to eliminate or minimise the risk and the inspector has signed off that the notice of breach or improvement has been rectified.

Breaches of the Act or Regulations may result in substantial penalties or fines, which can exceed \$100,000 for serious issues. The amount of the fine depends on the type and severity of the offence. A gaol term of up to five years may also apply for serious offences where a person recklessly breaches their duty of care (employer PCBU or employee), knowing that their action or omission is likely to seriously endanger another person's health and safety.

If a worker has been badly injured the farmer PCBU can be in a distressing situation. An injury to a worker is distress enough but undergoing interrogation involving possible penalties can make it worse.

Add to this the pressures of managing the piggery, and prolonged absence of the worker increases the stress.

There may be antagonism towards the inspector but this can only make it worse. The inspectors are doing their jobs. Their primary focus is on safety and working with employers to meet their obligations

Whatever he/she can do to help the farmer they will, but they are governed by the legislation/regulations and the farmer must follow their legal directions. Being able to show safety measures, WHS practices, procedures and documentation to the inspector will assist in the overall assessment for compliance, thereby reducing the likelihood of notices and possibly penalties for the farmer.

In 2012 fines and penalties were trebled see below table:

	Company	Individual
Division 1 fine	\$200,000	\$600,000
Division 2 fine	\$100,000	\$300,000
Division 3 fine	\$ 40,000	\$120,000
Division 4 fine	\$ 30,000	\$ 90,000
Division 5 fine	\$ 20,000	\$ 60,000
Division 6 fine	\$ 10,000	\$ 30,000
Division 7 fine	\$ 5,000	\$ 15,000

Categories are based on degree of 'culpability' and risk/degree of harm

	Category One (1)	Category Two (2)	Category Three (3)
Employee	\$50,000	\$150,000	\$300,000
Officer	\$100,000	\$300,000	\$600,000
Corporations	\$500,000	\$1.5 million	\$3 million

All of the above can incur a jail term of 5 years imprisonment

Individuals can be fined up to \$300,000 and imprisoned for up to 5 years. Officers can be fined up to \$600,000 and imprisoned for up to 5 years.

If an employer PCBU acts in a manner which creates a substantial risk of death or serious injury or was recklessly indifferent about that risk, then endangerment substantial fines or imprisonment can apply.

Would you be ready if an inspector calls?

25. Getting Started.

Getting started on a safety program is the hard part. Time is a big factor and the magnitude of the task is another. But look at this way – it's better to start and make some headway rather than having nothing in place at all. Should a serious injury or fatality occur on the farm, the farmer will be held accountable! However any steps that have been undertaken that show a commitment to safety will be taken into consideration by the inspector when preparing their report and findings.

So let's start with the Safety Policy and Procedures -

- use the model in these notes if needs be, or modify the wording to suit
- then give a copy to the Employees , asking them to read it, commit to farm safety and draw any risks they encounter to your attention
- adopt any of the Standard Operating Procedures (“SOPs”) Work Method Procedures or attached to these notes which are relevant, and again which can be modified them to suit.
- distribute them to the Employees and discuss their adoption, seeking feedback on improvements at the same time
- record discussions in a Safety Register as evidence of what's been done
- develop the Injury Register and make sure any injuries, including 'near misses' are recorded (remind all Employees of the importance of reporting 'near misses').

If all of these can be adopted as preliminary steps then a more detailed program of risk identification, assessment and control can be undertaken as time permits.

Any major risks (imminent risk to health and safety) which are identified will be a high priority however and control action can't be delayed.

Web sites to refer to for more information:

Employers Mutual SA www.employersmutualsa.com.au

WorkCover Web Site www.workcover.sa.gov.au

WorkSafe Australia Web Site www.worksafe.gov.au

National WORKPLACE HEALTH and SAFETY Commission Web Site

www.nohsc.gov.au

For South Australian legislation:

<http://www.legislation.sa.gov.au>

http://www.austlii.edu.au/au/legis/sa/consol_act/

http://www.austlii.edu.au/au/legis/sa/consol_reg/

APPENDIX A - Health And Safety Policy.

This policy recognises that the piggery owner/employer ('insert name') is responsible for the health and safety of all Employees in the workplace and will commit as far as reasonably practicable to provide and maintain a working environment that is safe and without risks to health.

To do this, the piggery owner/employer will regularly consult with Employees either personally (or through the officially appointed safety co-ordinator) to make sure that health and safety issues are regularly reviewed. The piggery owner/employer places considerable importance on a joint approach to identifying and solving health and safety problems.

The piggery owner/employer/safety co-ordinator or any supervisor must ensure effective implementation of this policy and procedures and meeting their responsibilities under the WHS Act and Regulations to ensure that Employees are safe from injury and risks to health.

(Insert for incorporated employers: As an incorporated employer, we will ensure that delegated Officers attend a Training Course and we will have a Return-to-work Co-ordinator appointed when we employ in excess of 30 Employees).

Employees and contractors (Employees and other persons) are duty bound within the WHS Act and Regulations to ensure that they take care of their own health and safety and that of others. They are thereby bound by the responsibilities as expressed in the procedures to this Policy.

This Policy will be regularly reviewed in the light of changes to the workplace and legislation. Management seeks cooperation from all Employees and contractors (Employees and other persons) in realising our health and safety objectives and creating a safe work environment.

Signed: Date:

Policy Procedures

1. The piggery owner/employer PCBU and/or safety co-ordinators/supervisors have a duty to Employees to ensure so far as is reasonably practicable that Employees are safe from injury and risks to health, which includes
 - providing and maintaining a safe working environment and safe systems of work
 - providing and maintaining machinery, equipment, appliances, implements, tools and substances in a safe condition
 - following agreed procedures for regular discussion between the owner/safety co-ordinator and Employees
 - conducting regular workplace inspections
 - providing information, training and supervision for all Employees in the safe use of plant, equipment, chemicals and other substances, and following safe work procedures.

2. Through commitment to WHS, the piggery owner/employer PCBU will ensure all Employees new and existing are similarly committed through written commitment to the WHS Policy and Procedures and through consultation, safety supervision and training

3. For their part, Employees must take reasonable care to protect their own health and safety, and the health and safety of others that may be affected by their actions or omissions. They must cooperate with the piggery owner/employer PCBU in ensuring health and safety in the workplace. In particular, they must:
 - use equipment provided to protect health and safety
 - follow reasonable instructions the piggery owner/employer PCBU gives on health and safety, ensuring alcohol or another drug does not so affect them that they may endanger themselves or others. (Some prescribed medication states the recipient should not work at heights or operate machinery, this applies to the workplace as well).

- inform the piggery owner/employer PCBU of hazards, accidents and near accidents and further assist in the identification of hazards, the assessment of risks and the implementation of risk control measures
 - consider and provide feedback on any matters which may affect their health and safety
4. Employees who fail to wear personal protective equipment as provided and advised on use, or who fail to follow any reasonable instructions given on health and safety will be liable to disciplinary action including termination of employment.
 5. Employees are required to report workplace accidents, near miss, injuries or illnesses as soon as possible.
 6. Visitors, contractors and other persons will be informed of the farmer/employer's PCBU commitment to WHS and therefore
 - must not put themselves or any of the farmer/employer's Employees at risk
 - Must abide by the farmer/employer PCBU safety policy and rules.
 - must not enter restricted areas without permission
 7. The piggery owner/employer PCBU will further ensure that contractors Employees engaged in the workplace are competent and understand their responsibility to take reasonable care to protect their own health and safety as well as the health or safety of any other person.
 8. In addition to those hazards identified to date for priority attention, the piggery owner/employer PCBU will continue to identify and assess hazards and controls, and to implement safe working procedures
 9. The Induction Checklist will be completed for all new Employees to ensure all aspects of WHS are addressed and understood by the worker and to be signed off by that employee.

10. Safety will be further supported through the introduction and maintenance of:

- Workplace Safety Checklist for regular audits
- Machinery Register
- Dangerous Chemicals/Substances Register
- Injury Register
- Training Register

11. All Employees existing and new are to sign a copy of this Policy and Procedures to confirm they have read and understood its contents.

Signed: (the farmer/employer's signature)

Date / /

I have read and understood this policy and supporting procedures.

Signed: (employee's signature)

Date / /

APPENDIX B - Firearms Policy.

ALL Employees and other persons are responsible for ensuring the health and safety of themselves and others as per the Work I Health and Safety Act, 2012 Section 28 Duties of Employees Section 29 Duties of other persons.

Employees and other persons have an individual responsibility whilst in the possession of, use of or handling of a firearm or ammunition by:

- Obeying instructions for the safe use of firearms at all times whilst carrying, handling and operating the firearm
- Carrying at all times their firearms permit or firearms license (Firearms Act 1977 Section 29C) Maximum \$5,000 fine
- Securing the firearm and ammunition whilst in possession of the firearm
- Returning the **unloaded** firearm and unused ammunition for storage at the conclusion of conclusion of its use
- Arriving at work in a fit state for work and remain unimpaired by drugs or alcohol during the course of use, handling or possession of the firearm
- Operating the firearm and ammunition as per its intended purpose in conjunction with the Firearms Act of 1977 and supporting Firearms Regulations of 2008

Employers and PCBUs have a duty under Section 19 Work Health and Safety Act, 2012 for managing the use of firearms in the workplace by practicing safe use and prevention measures.

Employer's PCBU responsibilities for handling/storage/possession of a firearm:

- Seek to develop a culture amongst its Employees and other persons to recognise that firearms are to be used for the intended purpose
- Ensuring all operators of firearms provide a firearms license/permit aligned to the class of firearm in use and endorsed by the Register
- Encouraging responsible behaviour amongst its Employees , contractors, labour hire personnel and other persons

- Securing the firearm and ammunition (refer Part (6) Section 38 Firearms Regulations 1977)
- Temporarily transferring the possession of a firearm to another person as per the Firearms Act 1977 (Division 2A, Section 15B 1(d), (7) and (9).
- Training Employees , contractors, labour hire personnel and other persons to comply with the requirements of this procedure at all times
- Abiding by the rules and regulations as set down within the Firearms Act of 1977 and supporting Firearms Regulations of 2008

Disciplinary Action

Disciplinary action including termination of employment or contract may be taken if the operator of a firearm fails to meet his or her obligations in the safe use of the firearm whilst on the employer's PCBU premises, this includes outside of normal working hours.

Signed:

Position:

Date:

APPENDIX C – Harassment Policy.

This procedure recognizes that the piggery owner/employer (*insert name*) is responsible for the health and safety of all Employees and other persons in the workplace and will commit as far as reasonably practicable to provide and maintain a working environment that is safe and without risks to health.

The piggery owner/employer (*insert name*) recognizes its responsibility to provide a harassment-free workplace, in accordance with various Federal and State Anti-Discrimination Laws.

Many complaints of harassment or discrimination can be resolved through discussion, counselling and conciliation.

Formal action should be seen as a last resort only if all other efforts have failed.

Definition of Harassment

What is harassment? Harassment can include the following list of indicative examples (which is not an exhaustive list);

1. Harassment

Making fun of someone by spreading rumours, use of offensive language, verbal abuse, threatening behaviour, or bullying

2. Sexual harassment

Can be making suggestive comments, unwanted contact, and sexual assault and displaying sexually explicit material in the workplace.

3. Violence

Exertion of physical force by one person against another; physical harm deliberately caused to a person by another or the threat (explicit or implicit) of causing such harm.

4. Victimisation

Recurrent offensive manner, harsh treatment, intimidation or negative actions directed against a person, which may result in excluding this person from the workplace community.

5. Workplace Bullying

The repeated treatment of a person by another or others in the workplace that may be considered unreasonable and inappropriate

Any type of harassment in the workplace is not acceptable and will not be tolerated.

If you consider you are being harassed at the workplace the following is a guide to assist in the management and control of the behaviour

- a) Firstly, ask the offender politely but firmly to cease the behaviour as it is offensive to you and constitutes harassment.
- b) If the offensive behaviour continues, keep a record of all conversations and incidents between you and the offender including details such as time, date, place, etc.
- c) Speak to your supervisor or employer for advice and/or action.
- d) Alternatively, you may wish to lodge a written complaint with your employer.
- e) Incidents of a serious nature should be reported straight away.
- f) Remember, you cannot be penalised for complaining about genuine cases of harassment.

Any worker (employee) who is found to be responsible for harassment (of any kind) will be subject to disciplinary action which may lead to termination of their employment.

Signed:

Position:

Date:

APPENDIX D – Drug and Alcohol Policy.

The misuse of alcohol and drugs can seriously impair individual's ability to work safely and productively. (insert piggery owner/employer name) acknowledges its responsibilities to take all reasonable action to safeguard the Health and Safety of all its Employees.

The employer PCBU is committed to being consultative, educative and rehabilitative in relation to alcohol and substance abuse.

This policy sets out steps, which will be taken to provide advice, and assistance to those affected.

Once it has become evident that work performance is being impaired by alcohol and/or drug substance related problems, the individual concerned will be given the opportunity to discuss the matter, in total confidence, with the relevant Manager or Supervisor.

Employees have the right to be accompanied at any discussion by a Support person.

Any reasonable absence from work necessary to receive treatment maybe treated as leave provided that there is full cooperation from the worker (employee) and sick leave is available to that employee. Any absences are to be supported by a Medical Certificate.

If an worker unreasonably refuses to accept advice or assistance where alcohol and/or drug abuse is suspected, he or she will be liable to action under the disciplinary procedure. By the same token, subsequent recurrence of alcohol and/or drug abuse will be given due consideration and evaluated on its merits, but may lead to dismissal.

Managers and Supervisors are responsible for seeing this Policy is carried out

on a day today basis. If they have any reasonable doubts about endangering their own or colleague's safety they will:

- Order the worker to stop work
- Suggest the worker seek medical attention and / or advice

- In the case of suspected alcohol abuse, the worker will be provided assistance to return home

Supervisors or Manager must immediately write up an account of what took place and on the following day, interview the individual ensuring that the worker has a representative of their choice at the meeting

- The worker will be asked to show legitimate cause for the unsatisfactory level of performance shown on the previous day

Contractors and other persons

If it is evident or reasonably noticeable, that a contractor's work performance is being impaired by alcohol and or drug substance related problems the individual concerned will be given the opportunity to discuss the matter in confidence

Dependent on the outcome of the discussion the employer PCBU may give rise to termination of the contract for work.

All other persons found to be under the influence of alcohol or a drug related substance whilst on the employer's site will be asked to leave the premises.

The employer at all times has the right to call for assistance via 000

Any person found using or trading in alcohol or illicit substances in any way whilst on the employer's premises will be subject to termination of their contract of service (employee) or, contract for service (contractor).

APPENDIX E – Farm Safety Checklist (As from Rural Safety Handbook of SafeWork SA).

WORKSHOP

#	SAFETY ITEM	YES	NO	ACTION REQUIRED
1	ACCESS AND EGRESS Does the workshop layout provide safe access and allow for rapid exit in an emergency?			
2	ELECTRICAL HAZARDS <ul style="list-style-type: none"> • Is all moveable electrical equipment protected by a suitable residual current Device? (ROD) • Is the sheathing of electrical cords and extension leads maintained in good Condition? • Are electrical plugs and power points in Good condition? • Is all the electrical equipment in the workshop protected from exposure to Water? • Are all electrical power tools and electrical equipment properly earthed and Maintained? • Are main and isolating switches clearly labelled and accessible? • Are extension leads and power boards located in a safe position to prevent mechanical or other damage? Are there flammable chemicals located within 1 metre of an electrical power point?			
3	FIRE PROTECTION Are the correct portable fire extinguishers provided and conveniently located for Emergency use? Has correct use of extinguishers been explained to Employees and other relevant persons? Are all fire extinguishers maintained and identified with signs relevant to type?			
4	LIGHTING Is the workshop provided with adequate Lighting? Note a workshop should have not less than 240 lux in work areas.			
5	NOISE <ul style="list-style-type: none"> • Is noise in the workshop kept to a safe Level, not exceeding the exposure standard of 90 dB (A)? • Is appropriate personal hearing protection provided? (i.e. ear plugs, muffs etc.) 			
6	FIRST AID Has a basic first aid kit been provided? If so, is its location known by all persons on the property?			
7	PERSONAL PROTECTION Is personal protective equipment and clothing provided and maintained? (i.e. eye protection, dust mask, helmets, footwear, as appropriate)			

#	SAFETY ITEM	YES	NO	ACTION REQUIRED
8	PREVENTION OF FALLS Is suitable guard railing in place to prevent falls from elevated work places? (i.e. lofts or platforms).			
	VENTILATION • Is the workshop adequately ventilated? • Are the impurities of any workshop process or other atmospheric contaminants adequately controlled to minimise risk? (i.e. welding, spray painting, toxic fumes, flammable substances) NOTE: hazardous substances should not be kept in the workshop - separate storage area.			
10	HOUSE KEEPING • Is the workshop kept clean and hygienic? • Have tripping hazards been eliminated? • Have objects stored at height been secured to prevent risks from falling?			
11	MACHINERY AND EQUIPMENT • Are moving parts of all power driven machines properly guarded? • Are guards fitted to bench grinders? • Are grinding wheels dressed and the tool rest adjusted to a max? of_1.5mm_gap?			
	11.1 Are oxygen/acetylene bottles stored upright and secured in a fixed position? (chained) Are oxygen/acetylene hoses kept in good condition? Hoses should be checked for cracks and splits and replaced when these pose a risk. Are gloves and suitable eye protection provided?			
	11.2 Are gloves and face shield for eye protection from arc welding, in good condition?			
	11.3 Is the air compressor/air receiver properly inspected and maintained (examples) (a) Guards over vee belts? (b) Outlets and drain plugs checked periodically? (c) Does the air receiver require registration?			
	11.4 Are trolleys, hoists and other manual handling aids provided where necessary?			
	11.5 Are bench tops and platforms at a height to suit the individual needs of the operator?			
	11.6 Are raw materials stored safely and where possible at a height that does not increase the likelihood of an injury (i.e. proper racks or 'A' frames/?)			
12	OTHER HAZARDS Have any other hazards not mentioned been identified e.g. fragiles skylights?			

TRACTORS AND PLANT

#	SAFETY ITEM	YES	NO	ACTION REQUIRED
1	Are all tractors fitted with an approved rollover protection structure FRAME or CAB (R.O.P.S)? There are exceptions for some tractors built before 1981 from having to have R.O.P.S fitted; however if Employees are required to operate these tractors, a risk assessment must be carried out and if there is a risk of rollover then a R.O.P.S must be fitted regardless of age of the tractor.			
2	Where tractors are equipped with front or rear shifting attachments, are such tractors fitted with a falling object protective structure (F.O.P.S)? (NOTE: A R.O.P.S cab or covered four posts R.O.P.S frame adequately complies with F.O.P.S requirements). There are no exceptions to fitting of F.O.P.S regardless of the age of the tractor. If you have a front end loader or fork lift attached to your tractor, then a falling object protective structure (F.O.P.S) must be fitted.			
3	Are power take-off outlets and shafts fitted with protective covers including the master shield?			
4	Are all guards kept in place when the tractor is operating? Removal of guards is illegal and a bad practice. Guards are there for a reason and should be retained at all times.			
5	Are the brakes on all tractors checked on a regular basis? Faulty brakes on hilly ground are an invitation for disaster. Faulty brakes when loading attachments are fitted to the tractor are also an invitation for disaster. (Have your brakes serviced regularly.)			
6	Are CHILDREN and/or PASSENGERS kept from riding on TRACTORS? It is an offence to have a passenger on a tractor without an appropriate seat, footholds (steps), and hand holds. Do not allow children to ride on tractors under any circumstances. This is the most common cause of child fatalities on piggeries.			
7	Is your tractor equipped with adequate and appropriate lighting for night operation? Lighting should be bright and clear to allow a clear unobstructed view of the operation being carried out.			

MACHINERY (PLANT)

#	SAFETY ITEM	YES	NO	ACTION REQUIRED
1	Are operator manuals and safety instructions readily accessible for all powered machines?			
2	Are drivers or operators adequately trained to operate the machines under their control?			
3	Are safe hitching procedures taught to operators? Never hitch above drawbar height. This can result in flip over. The time to point of no return is approx. 2 seconds in bottom gear.			
4	Are children kept away from power operated machinery? Shouldn't be allowed near or on such machinery under any circumstances.			
5	Are exhaust systems functioning properly?			
6	Are machines checked for harmful noise? (Rule of thumb, you should not have to raise your voice to be heard.)			
7	Is appropriate hearing protection provided?			
8	When on public roads, are hitches sturdy and safety chains connected? This is a road transport requirement.			
9	Is machine power isolated before adjusting, unclogging or servicing? Failing to isolate before unclogging or adjusting machinery may results in loss of an arm, a leg or loss of life.			
10	Are power take-off and drive shaft properly guarded? If protective sleeve cover is not available for your PTO some other substantial guarding must be provided. You may build it yourself provided it is substantial enough to withstand the body weight of a person.			
11	Are all moving parts safely guarded as per required Australian standards? Advisable to check the relevant Standards on guarding.			
12	Are guards kept in place during plant operation?			
13	Are all machines and powered equipment adequately labelled with safety decals and caution notices? Safety decals are required to be displayed on new machinery by manufacturer. It is good practice to also do this where older machinery is operated by Employees or other persons with a safe interest safe work practice			
14	Is a fire extinguisher available to the machine operator? Fire extinguishers are recommended in some machinery such as harvesters but not necessarily on others. (do a risk assessment to determine this.)			
15	Is a first aid kit available to the machine operator? Accessibility would be accepted as being in a nearby vehicle.			

VEHICLES

#	SAFETY ITEM	YES	NO	ACTION REQUIRED
1	Are all farm vehicles regularly serviced and safety checked? Are keys removed from when not in use to protect against accidents from children starting vehicles?			
2	Is communication equipment provided for Emergencies or breakdowns in isolated work areas?			
3	(a) Are farm motor bikes regularly serviced? (b) Are safety helmets provided and worn?			

BUILDING AND STRUCTURES

#	SAFETY ITEM	YES	NO	ACTION REQUIRED
1	Are all access ways kept free of rubbish, litter and junk, which may impede access to a building or become a tripping hazard?			
2	Are all ladders checked for general deterioration?			
3	Are all steps of stairways checked for deterioration?			
4	Are all raised platforms where people regularly work, guarded by safety railing or fencing?			
5	Is a safety harness provided and worn for windmill or well maintenance work? Are all windmill ladders checked regularly for corrosion or other deterioration? Are all windmill platforms checked regularly for deterioration?			
6	Is particular care taken not to work in a hazardous atmosphere, a well, pit or other confined space where exhaust gases from an internal combustion engine are present? (NOTE: Carbon Monoxide gases can be fatal.)			
7	Are ladders/accesses to WATER TANKS SILOS AND ROOFTOPS made inaccessible to children?			
8	Are in ground dip sumps covered or adequately guarded to prevent accidental entry?			

GRAIN STORAGE

#	SAFETY ITEM	YES	NO	ACTION REQUIRED
1	Are guards designed and installed to prevent access to silos by children or unauthorised persons?			
2	Is guarding installed to protect persons from being drawn into the vortex of grain being augured from any silo?			
3	Are safety checks made before starting an auger to remove grain from a silo to ensure that NOBODY IS IN THE SILO?			

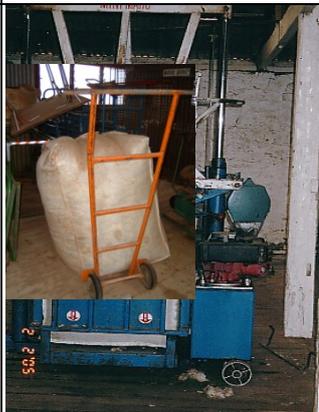
4	Are augers, (mobile or stationary) adequately guarded around hazardous parts? (Examples: Belt drives, chain drives, shaft drives, and open face pulleys.)			
5	Are safety decals or warning notices displayed to keep hands and feet clear of the auger intake area?			
6	Is appropriate respiratory equipment readily available and used for work in dusty or mouldy grain cleaning operations in silos?			
7	Are measures taken to ensure that flame proof lighting is used when cleaning out a dusty silo or other confined space? (risk of explosion if naked flame or spark makes contact with dust in a confined space, etc.)			
8	Is there an observed policy and procedure of constant communications checks with persons working in confined spaces?			
9	Is there an in house policy that children are not permitted near grain storage areas when grain handling activities are in progress?			

FARM HOUSEKEEPING and HYGIENE

#	SAFETY ITEM	YES	NO	ACTION REQUIRED
1	Is there any debris or clutter in foot or road traffic areas which can trip or otherwise injure users?			
2	Are foot or road traffic areas in good condition (i.e. no hazards such as pot holes, overhanging tree branches etc.)?			
3	Is there any debris or clutter in paddock areas which can cause injury (e.g. barbed wire in overgrown grass, rusty iron, broken glass) empty fuel drums (fumes) etc.			
4	Are farm ladders in good condition?			
5	Is there empty fuel drums discarded on property (threat from fumes ion drums)?			
6	Are toilet, washing and dining facilities are kept clean and hygienic? Are toilet and washing stocks are kept up to date?			

PIGGERY SHED SAFETY

#	SAFETY ITEM	YES	NO	ACTION REQUIRED
1	Are steps checked regularly for corrosion or rot and replaced where necessary?			

2	Flooring checked regularly for damage or weakness			
3	Are hand rails provided at the side of steps? (AS 1657: Fixed platforms, walkways, stairways and ladders--Design construction and installation).			
4	Are automatic feed systems guarded appropriately			
5	Are drive belts guarded?			
6	Where internal combustion engines are operated inside a shed, is there is adequate ventilation? Are all engine exhausts discharged to the outside of the building? (NOTE: Carbon monoxide gas factor.)			
#	SAFETY ITEM	YES	NO	ACTION REQUIRED
7	Are chemicals securely stored in a well-ventilated area outside the pig shed? Are material safety data sheets (MSDS) available for all hazardous substances? Are all MSDS current within 5 years of issue date? Is training and personal protective equipment provided to operators?			
8	Are all chemical swabbing or other treatments carried out by competently trained personnel?			
9	Are chemical treating personnel provided with appropriate protective clothing and equipment?			

10	Manual Handling practices should meet the standards specified in the manual Handling Code of Practice.				
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HAZARDOUS and DANGEROUS SUBSTANCES

#	SAFETY ITEM	YES	NO	ACTION REQUIRED
1	RISK ASSESSMENT and CONTROL Has an assessment been made of risks to health due to potential exposure to any hazardous substance?			
2	REGISTER Is a register maintained for ALL substances stored or used at the workplace irrespective of whether they are classified as dangerous or hazardous? Is the information in the register readily accessible to any emergency service? Keep a copy of the information in a container at the main entrance gate and notify your local emergency service where it is kept.			
3	LABELS/DECANTED SUBSTANCES Are all containers of hazardous substances clearly labelled with the product name (not what it does i.e... window cleaner) and health and safety information?			
4	INSTRUCTIONS AND TRAINING Have persons in contact with hazardous substances been instructed and trained in all the uses of a particular substance?			
5	RECORD KEEPING Where necessary, have records been kept for: <ul style="list-style-type: none"> • risk assessment • instruction and training • atmospheric monitoring • health surveillance? 			
6	PERSONAL PROTECTIVE EQUIPMENT Has appropriate personal protective equipment been provided, used and maintained when using hazardous substances? i.e. gloves, face masks, safety glasses, respirator, overalls, impervious boots? <ul style="list-style-type: none"> • PPE should be personal issue equipment and should not be shared, most particularly face masks and respirators. • Take particular care in checking respirators for air tracking and other signs of deterioration. • Ensure that the correct filters are used in respirator and that the filters are checked and changed on a regular basis. 			
7	Do you understand the purpose of class diamonds on containers and packages? Refer to tool at back of manual for diamond classifications. H (a)			
8	Do you understand the purpose of UN numbers on packages and containers?			

9	Do you understand about packaging group classification?			
10	Are you aware of the requirements to obtain and keep/use a material safety data sheet (MSDS) for each chemical stored and handled? (NOTE: MSDS is a valuable source of information about the hazardous properties and effects on skin and respiration etc.) MSDS information must be made available to any employee. MSDS must be provided by the manufacturer or supplier on request.			

CHEMICAL STORAGE, HANDLING and DISPOSAL

#	SAFETY ITEM	YES	NO	ACTION REQUIRED
1	Is an appropriate storage area provided for chemicals, separate from other storages or any grain storage? It is preferable that chemicals are stored in a shed or unit separate from other buildings but where this is not an option, then at least in an area isolated from other storages			
2	Does the risk assessment identify the requirements for storage and carrying in line with the MSDS for all Dangerous substances? As per Hazardous/Substance matrix H (a)			
3	Does the risk assessment identify environmental risks associated with the disposal of unwanted chemicals or empty containers? (Note all unwanted chemicals should where possible be returned to the supplier for proper disposal. In other events always adhere to the requirements for disposal on the MSDS).			
4	Is appropriate signage attached to: (1) the entrance to the chemical area, (2) the property, to alert emergency service personnel of the types of chemical stored on the property?			
5	Is there a map of the property denoting chemical storage/quantity available for firefighting personnel?			
6	Is the chemical store secured against unauthorised access?			
7	Are chemicals protected from moisture?			
8	Are herbicides stored away from insecticides and fungicides?			
9	Are incompatible chemicals stored separately? NOTE: Some class 6.1 substances may be incompatible with Class 8. Care should be taken to have separation bunds to avoid mixing of spills.			
10	Are leakage controls in place? (a) impervious floor with collection sump (b) absorbent material (c) spill kit			
11	Is the storage area resistant to fire?			

12	Is firefighting equipment readily available?			
13	Are considerations made of possible affects to your neighbour from overspray before commencement of any spray job?			

FORKLIFT TRUCK OPERATION

#	SAFETY ITEM	YES	NO	ACTION REQUIRED
1	LIFTING CAPACITY Is the forklift being operated within its lifting capacity and the manufacturers specifications?			
2	OPERATOR and TRAINING – Have all forklift operators been assessed as competent by a registered assessor, or have documentary evidence of training? (Note National Standards came into place on the 1 st July 2008 re terms of licence for forklift operators).			
3	Are operational checklists being completed prior to the operation of the forklift and retained by the employer?			
4	OVERHEAD PROTECTION Is the forklift fitted with an overhead operator protective structure?			
5	WARNING DEVICE Is the forklift fitted with a warning device to warn persons at risk while reversing or turning sharply?			
6	PASSENGERS Are systems in place to prevent persons other than the operator to ride on the forklift? NOTE: Passengers must be seated in a specific seat with a seat restraint and within the overhead protective structure.			
7	USE WITHIN CONFINED SPACES Are precautions taken to prevent the emission of carbon monoxide if using a forklift within a confined space? (i.e. cold rooms or freezers.) (See safeguard GS38, working in confined spaces).			
8	LIFTING PERSONNEL Is a work platform available for the lifting of persons with the forklift? NOTE: A forklift work platform must comply with the requirements of AS2359.1, with a fenced perimeter including a 2 metre high blackguard. (See "Safeguard" GS9). Only trained operators should undertake this task under strict supervision.			

FARM USE - ELEVATING WORK PLATFORM (EWP)

#	SAFETY ITEM	YES	NO	ACTION REQUIRED
1	<p>PRE-OPERATIONAL CHECKS AND LOGBOOK USE</p> <p>Is the EWP checked before use, to the manufacturers "pre-operational checklist? (i.e. safety devices and interlock controls). Are results of the pre-operational checks recorded in the logbook, and kept on the EWP?</p>			
2	<p>TRAINING</p> <p>Have all personnel using the EWP been trained in the use of the equipment? (i.e. safety devices, safe work methods and emergency procedures.)</p> <p>NOTE: A person operating a EWP with a boom length of 11 metres or more, must hold a certificate of competency.</p>			
3	<p>FALL PROTECTION</p> <p>Has an appropriate fall arrest harness with lanyard type energy absorber been provided for each person working on the EWP?</p>			
4	<p>SITE CHECK/SUPERVISION</p> <p>Has the EWP work site been checked prior to use, to assess the risks of the site conditions: (i.e. soft ground, sloping site, structures or buildings, overhead power lines, underground services, ground cavities, wind conditions).</p>			
5	<p>SAFE WORKING LOAD (SWL)</p> <p>Has the operational weight of personnel, tools and materials been checked to ensure that the rated load capacity is not exceeded?</p>			
6	<p>MAINTENANCE (EWP)</p> <p>Is all maintenance, inspection and repair in accordance with the manufacturer's recommendations been carried out?</p>			

APPENDIX F – Risk Assessment Guide.

Risk assessments are based on two key factors:

(1) The likely frequency of harm (exposure and probability) (2) The likely severity of harm

FREQUENCY LEGEND – the likely frequency of harm itself based on two considerations a) level of exposure to worker b) environment to the hazard	
Frequency	Description
Extraordinary	Once a year or less, and for a short time (minutes)
Infrequent	Only a few times a year and for a limited time (e.g. less than 2 hours at a time)
Occasional	A few times a month
Frequent	From several times a week to daily
Routine	Several times a day or continuously

PROBABILITY LEGEND– the probability that harm will result to the person/s/environment exposure	
Probability	Description
Exceptional	Harm may occur in exceptional circumstances
Could occur	It is conceivable that harm could occur at sometime
Might occur	It is reasonable to predict that harm might occur at sometime
Probable	Harm will occur in most circumstances
Expected	Harm is expected to occur in most circumstances

PROBABILITY OF HARM

Exposure	Exceptional	Could occur	Might occur	Probable	Expected
Extraordinary	Rare	Rare	Unlikely	Unlikely	Possible
Infrequent	Rare	Unlikely	Unlikely	Possible	Possible
Occasional	Unlikely	Unlikely	Possible	Possible	Likely
Frequent	Unlikely	Possible	Possible	Likely	Likely
Routine	Likely	Likely	Likely	Likely	Near Certain

FREQUENCY OF EXPOSURE

SEVERITY OF RISK	
Rating	Personal
Negligible	No injury, (mishap, near miss)
Minor	First aid treatment only
Major	Medical treatment required
Critical	Serious eye, head or spinal injury, permanent partial disability
Catastrophic	Permanent total disability, death

RISK TABLE (SEVERITY VS FREQUENCY)

Severity	Frequency				
	Rare	Unlikely	Possible	Likely	Nearly Certain
Negligible	None	None	Low	Medium	Medium
Minor	Low	Low	Medium	High	High
Major	Low	Low	Medium	Urgent	Urgent
Critical	Medium	Medium	High	Urgent	Urgent
Catastrophic	Medium	High	Urgent	Urgent	Urgent

TIMEFRAME

Rating	Interim Control	Long Term Control
Urgent	24 hours	Control to be prioritized based upon severity and effectiveness of interim control measure
High	1 week	
Medium	1 month	
Low		3 months
None		6 months

Timeframe for implementation of measures to effectively control identified hazards shall be determined based up severity and potential frequency.

APPENDIX G – Work Method Policy and Procedures – All Road Vehicles, Equipment and, Machinery.

General Safety Precautions

The Owner must ensure:

- copies of current licences, certificate of competency or permits for road vehicles, farm equipment and machinery used in and around the farm are produced beforehand by drivers or users
- if any licences, certificates of competency or permits have been cancelled or suspended, the worker Employees is barred from driving or using an relevant vehicles, equipment and machinery until currency has been restored
- if any licences, certificates of competency or permits are restricted or subject to qualification, the worker is only permitted to use relevant vehicles, equipment and machinery in accordance with those restrictions or qualifications.

APPENDIX H – Standard Operating Procedures – Chemicals/Dangerous Substances.

General Safety Precautions

The Owner must ensure:

- anyone using chemicals has been trained/instructed in safe use
- material data sheets (MDS) are current (within 5 years of date of issue) and available for each dangerous/hazardous chemical or substance
- Employees or other persons using dangerous/hazardous substances or chemicals carefully read the MDS and label before use and stringently adhere to the recommended safety measures
- anyone using chemicals wears the personal protective equipment (safety footwear, eye protection, gloves, respirator, etc.) specified in the MDS
- the first aid facilities are available to deal with splashes and other incidents and Employees and other persons are aware of immediate treatment necessary
- all containers are safely stored for authorised access only
- routine checks for leaking containers
- unwanted chemicals are regularly disposed of in accordance with the MDS
- chemicals are not stored in non-original containers (i.e. soft drink bottles)
- Employees or other persons are competent or trained for safe spraying i.e.
 - ❖ work upwind from the spray
 - ❖ check wind conditions to avoid spray drift from the spraying operations affecting anyone else
 - ❖ wash with soap and water before eating, drinking or smoking at the end of spraying
 - ❖ wash respirators, gloves and other safety equipment in soapy water after use
- All dangerous substances, e.g. inflammables, are transported, stored, and handled as per the MDS and the prescribed Regulations.

APPENDIX I – Work Method Procedures – Farm Machinery (other than tractors/augers).

General Safety Precautions

The Owner must ensure:

- operators use machinery for the purpose it was designed for, and within its specified capacity limits
- manufacturers' guidelines for safe and proper use are readily available for reference
- operators are aware of manual guidelines for safe and correct operation
- operators before using any machinery make sure all safety features, such as guards and warning devices, are in place, clearly visible, and are operative
- operators under no circumstances remove or modify guards designed for safe use
- all operators are either competent or have been adequately trained/instructed to use the machinery safely
- any operator has a certificate of competency where required
- maintenance is carried out as necessary in accordance with manufacturer's recommendations
- operators use machinery in circumstances where there is no risk to others
- operators use any recommended personal protective equipment e.g. goggles, hearing protection
- a Machinery Register is maintained as a record of safety checks, availability of operating procedures for operator reference and maintenance reviews and history.

APPENDIX J – Work Method Procedures – Tractors.

General Safety Precautions

The Owner must ensure

- operators are provided with training as is necessary and that operators and others in vicinity of the risk understand the nature of the tractor hazard and work method procedures.
- operators read and understand all of the manufacturers operating instructions, Work Method Procedures and any generic manuals.
- operators wear any seat belts provided
- all guards are kept securely in place.
- safety cabs or frames are fitted and properly maintained in accordance with the regulations.
- children are kept away from tractors and machinery.
- operators wear close fitting clothing.
- operators are competent to drive the tractor.
- operators take rest as necessary to avoid accidents due to fatigue.
- operators always ride on the seat and adjust the seat so that all of the controls can be operated comfortably and safely.
- a safe, secure seat, handholds and adequate footrests are provided if another person is permitted to sit with the operator
- operators check to make sure that the tractor is in neutral and the brake is on before starting.
- the power take-off is guarded and operators check accordingly.
- no operator starts the tractor while standing on the ground.
- operators avoid running the tractor in buildings or poorly ventilated areas.

Hitching of Implements

The Owner must ensure

- attachments are fitted according to the manufacturer's instructions.
- operators always use the draw bar, or the mounting points provided by the manufacturer, for attaching equipment and that makeshift method is not used.
- the height of the draw bar is not altered, modified or raised.

- when a power implement is attached to the tractor, operators make sure that all guards are in place before operating.
- operators never hitch around the axle housing or to the top link pin as this can cause the tractor to overturn backwards.
- operators do not attempt to adjust implements while they are in motion.
- operators do not use or attach implements unless the power shaft, take-off and input are guarded.
- when pulling heavy loads or when pulling vehicles from a bog, operators use reverse gear and pull from a hitch point on the front of the tractor to avoid the tractor turning over backwards.

Travelling and Operating

The Owner must ensure

- operators do not allow more than one bale to be carried by the tractor at any one time or otherwise allow loads to obstruct view of tractor pathway
- operators drive at speeds slow enough to retain control over the unexpected, e.g. hidden hazards, such as rabbit holes and stumps, can be killers.
- operators reduce speed before turning or applying turning brakes to avoid overturn.
- When working on silage stacks, operators do not drive too near the edge, rather, always back up the slope.
- operators watch out for ditches, embankments and depressions to avoid crumbling and slippery banks.
- on very steep slopes, if operators have no trailing implements, they back up for greater safety.
- operators engage the clutch gently when going uphill or towing.
- operators use as wide a wheel track as possible when working on hillsides and sloping ground.
- operators descend slopes cautiously, keep the tractor in low gear and allow the motor compression to act as a brake.
- when stuck in mud or a hole, operators do not put planks, poles or other objects in front of the back wheels and attempt to drive forward. The back

wheels may dig in and the front of the tractor will rise causing the tractor to roll over backwards.

- when stuck, operators back out, otherwise get help.

Working in Timber

The Owner must ensure

- the operator is protected from falling objects by fitting an adequate canopy to tractors used for logging or working under timber.
- operators do not use wheeled tractors for the direct pulling of trees.
- when winching logs, operators do not back the tractor against a tree to gain extra anchorage.
- all cables and chains are kept in good condition and store correctly when not in use.

Stopping Tractors

The Owner must ensure

- operators do not attempt to dismount from a moving tractor.
- if operators dismount from a tractor while the engine is running, they make sure that the parking brake is on and the gear lever is in neutral.

Maintenance Safety

The Owner must ensure

- the tractor is regularly serviced and that tyres and brakes are always in top condition.
- operators do not remove or replace belts while the pulleys are under power.
- operators stop the engine before refuelling, servicing or greasing. If possible, wait until the engine is cold before refuelling.
- before removing any tractor wheel, operators chock the other wheels.
- operators avoid improvised lifting arrangements but use a wide-based jack of adequate lifting capacity and have the tractor jacked up evenly. Operators must use wood for chocks, not bricks or building blocks, which have been known to crumble causing the tractor to crush the operator.
- before removing a tyre from the rim, operators make sure that all the air pressure has been released.

- If the engine overheats, operators allow time for it to cool off before removing the radiator cap. When removing the cap, to also be extremely careful to avoid being scalded by steam, which has built up pressure in the radiator.

APPENDIX K – Work Method Procedures – Children.

General Safety Precautions

The Owner must ensure according to practicality and likely risk:

Fences for small children there is an effective fence around the house and yard;

- septic tanks, sheep dips, seepage pits, ponds dams, pools and creeks are fenced off
- fences are maintained round nearby paddocks and work yards to protect small children from animals, vehicles, machinery, and road traffic.
- there are safe, fenced-off areas where children can play.

Workshop

- gates, doors and locking systems keep young children out of workshops and hazardous storage areas.
- there are safety rules for older children who may need to enter these areas on farm duties.
- workshops are kept free from child hazards relating to electricity, power tools, fire, poisoning, slips, trips, falls and other dangers.

Pesticides

- farm pesticides are locked away out of children's reach.
- pesticide mixing and wash-down bays are fenced off to prevent access by children.
- children out of orchards or other areas after spraying.

Silos, grain storage

- grain storage bins, silos, augers and trucks are kept adequately guarded to prevent access by children.
- children are never allowed to play on stored grain in silos.
- fixed ladders are guarded and kept above children's reach.
- rules are maintained to keep children out of grain loading and storage areas unless under close supervision.

Machinery and equipment

- tractors, trucks and other farm machinery are locked away after use, out of bounds to children.
- electrical appliances and tools are turned off, disengaged and kept inaccessible to young children.
- firearms, ammunition and explosives are kept locked and out of children's reach. (Note keeping the firing pin and bullets in a locked cupboard separate from the firearms may assist in the prevention of a fatality).

Protection from animals

- there are rules to safeguard children from dogs that might attack or bite.
- small children cannot wander into animal pens and stockyards with confined stock.

Ladders

- ladders are stored away to prevent children climbing roofs, silos, trees and other height hazards.
- fixed ladders on silos, bins, tank stands, windmills etc. are adequately guarded against children attempting to climb them.

APPENDIX L – Work Method Procedures – Children.

General Safety Precautions

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Fences for small children there is an effective fence around the house and yard;

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- fixed ladders on silos, bins, tank stands, windmills etc. are adequately guarded against children attempting to climb them.

APPENDIX M– Work Method Procedures –Contractors.

General Safety Precautions

The Owner must ensure:

- any person presumably hired as a contractor does in fact have contractor status, otherwise the owner has a direct responsibility as an employer
- all contractors hired are competent to do the work, including their Employees
- contractors are committed to WHS and, where relevant, have Employees committed to safety and competent/qualified to do the work
- contractors are informed of relevant farm risks and safety procedures and controls
- there are suitable facilities for toilet, washing and dining for contractors and their Employees
- contractors have first aid kit or otherwise are informed of availability and location of farm kit
- there is 'spot' monitoring on safe working of contractors and their Employees.

APPENDIX N – Work Method Procedures –Silos.

General Safety Precautions

The Owner must ensure:

- there is no smoking near silos
- persons involved avoid causing sparks from metal friction or electric switches
- the job is done from outside if possible and respiratory equipment is worn when appropriate.

Safe fumigation

- silos are fumigated before entering
- the manufacturer's recommended safe ventilation period is always followed
- phosphine containers are opened in the open air, not in the shed or silo
- the container are held away from the person's face, and the person positions upwind
- protective clothing and equipment is worn
- someone is kept standing by when fumigating
- phosphine tablets are placed into the silo from the roof using a tube
- all areas under fumigation are clearly marked with "**DANGER UNDER FUMIGATION**" signs.

Avoid grain suffocation

- no one enters a silo unless they have to and then have someone standing by in case of difficulties
- no one enters a silo without turning off the auger and ensuring no-one can start filling or emptying the silo while anyone is inside
- persons stay on the ladder above the level of compacted or bridged grain while dislodging it
- external ladders start at a height inaccessible to children

Check machinery

- auger drive train (belts, pulleys, drive shafts) and the rotating screw fitting are guarded.
- mobile augers are located on firm, preferably flat ground, and operate at a shallow angle (less than 45deg) to prevent overbalancing.
- mobile augers are lowered when transporting.
- Persons never start augers from view before checking the area is clear of people

Avoid falls

- roof fall protection is provided in the form of a simple edge rail.
- an external ladder cage is installed where required.
- a permanently hinged wire mesh guard is provided on all external openings above the maximum level of grain.
- a safety harness is used.

Emergency procedures

- that all persons understand that if trapped by grain doesn't panic - the grain will pack tighter. The person must shield their face and chest with arms and clothing to create space for breathing.
- There is always a person on watch from the outside. The watcher should have clear instructions what to do in an emergency. The first instruction is: "Don't follow me in."
- if only one person is on standby and cannot pull another out without entering, they must call for help. Only then may someone enter, wearing a breathing apparatus and a life-line. One or more people outside can help to pull anyone out
- if someone else is trapped in a grain silo, the bin is emptied by opening any side outlet, then flaps cut in the cone or walls all around the base using power tools.

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APPENDIX O– Work Method Procedures –Electrical Fittings & Equipment.

General Safety Precautions

The Owner must ensure:

- regular audits are conducted in accordance with Farm Safety Checklist
- Employees and other persons operating equipment carry out routine audit inspections before use
- maintenance or repairs are carried out by qualified tradespersons
- if a fuse blows out, operators turn off the switch and check the electrical equipment being used before replacing the fuse wire. If the fuse blows again, call an electrician
- operators don't make adjustments to a tool without first switching it off and removing the plug from the power point.
- all bench-mounted equipment, such as power saws or grinders, is effectively earthed - except for those with double insulation
- when replacing a fuse wire, the operator makes sure its rating is correct for the circuit
- if an RCD trips out, the electrical equipment is checked for obvious faults. If it keeps tripping out, call an electrician. Remember, while an RCD may shut off a lethal dose of electricity, it does not prevent electric shock. The operator must still avoid live contact, particularly if you are working at height or operating hazardous machinery.

APPENDIX P – Work Method Procedures –Augers.

General Safety Precautions

The Owner must ensure

1. one individual is in charge for operational and transport activities and that the auger is periodically inspected during operation.
2. while the auger is operational the person in charge and other Employees
 - observe work area restrictions, as outlined above.
 - keep all safety shields and devices in place.
 - make certain everyone is clear before operating or moving the machine.
 - keep hands, feet, hair, and clothing away from moving parts.
 - shut off and lock out power to adjust, service, or clean the equipment.

Machine inspection

The Owner must ensure:

1. all guards are in place, properly secured, and functional. The guard surrounding the auger intake is critically important. Replace all safety decals that are worn, missing, or illegible.
2. winch and cable (or other lifting system) is inspected by operators for condition, security, and operation. There should be at least three complete wraps of cable around the winch drum in the "full down" position. The cable anchor on the winch drum must be tight.
3. operators check all fasteners for tightness. Belts and chains should be in good condition and properly adjusted.
4. operators check oil levels in gear box and drive box. Lubricate the machine as specified in the owner's manual.

Safe auger transport

The Owner must ensure:

1. grain augers are always be empty and in the "full down" position for transport. The lift arm of the undercarriage should be seated against the down position stop, with slight tension on the winch cable and at least three complete wraps of cable around the winch drum.
2. the hitch pin is securely attached and a safety chain connected to the auger and the towing vehicle.
3. operators display a slow moving sign at the output end of the auger, don't travel faster than 40 km/hour and remain cautious when turning.
4. operators watch for overhead obstructions and electrical wires. Electrocutation can occur without direct contact.
5. operators never allow anyone to stand underneath or ride on an auger while it is being transported.

Moving into working position

The Owner must ensure

1. Employees never move an auger manually. Augers should always be empty before lifting or moving.
2. when releasing from or attaching to the towing vehicle, Employees test the intake end for downward weight. Lift slowly and keep the intake end no higher than the tractor drawbar. Don't push the undercarriage.
3. Employees keep the auger on a level surface, attached to a vehicle, and its wheels free to move as it is raised or lowered. Keep travel distance to a minimum when placing a raised auger.
4. Employees make sure the entire area above the auger and in the line of travel is clear of obstructions and electrical wires.
5. Employees slowly move the auger into working position with the towing vehicle--never by hand! Make certain everyone is clear of the work area.
6. once in place, Employees ensure the auger is anchored at the intake end, and/or supported at the discharge end. Wheels on the auger and the power

source should be checked on both sides. Never attempt to increase auger height by positioning wheels on lumber or blocks.

Preparing for operation

The Owner must ensure

1. operators confirm that all driveline components are in good condition and properly shielded.
2. operators check the work area has secure footing, and is free of all debris and tools which could lead to accidental tripping and/or falling.
3. ideally, the work area should be marked off. It is the operator's duty to ensure that children and bystanders are kept well clear. If anyone not involved in the operation enters the hazard area, equipment should be shut down immediately.

Auger shutdown guidelines

The Owner must ensure:

Normal shutdown

operators make certain that the hopper and auger are empty before stopping the equipment. The power source should be "locked out" before the operator leaves the work area.

Emergency shutdown

if an auger has to be immediately shut down under load, operators disconnect and lock out the power source, then clean as much grain from the hopper and auger as possible. Never attempt to start a full auger--the equipment could be seriously damaged.

APPENDIX Q – Work Method Procedures –Chain Saws.

General Safety Precautions

The Owner must ensure operators:

- are competent and experienced and where relevant have read and understood the operational manual
- wear appropriate personal protective equipment i.e. a hard hat, eye protection, hearing protection, gloves, long sleeve shirt, long pants and sturdy boots or shoes
- make sure the guide bar and chain are clear of any obstructions
- avoid using the bar nose to prevent kickback
- make sure the safety chain is used and that it is correctly sharpened and tensioned
- always hold a running saw firmly with both hands (whether right or left-handed, the right hand should be at the rear handle and trigger and the left hand should be on the front handle bar)
- do not drop start the saw, as when the saw is dropped to the ground, the operator can easily lose control. Where possible place the chainsaw on firm ground prior to starting, ensuring that the blades are facing away from the operator.
- Make sure the guide bar and chain are clear of any obstructions
- check that the machine is in safe working condition.

The owner must also ensure any chain saw is equipped with the following items:

- a chain brake (preferably automatic) to prevent injury in the event of kickback
- interlock throttle system, to prevent uncontrolled activation of the throttle
- chain catcher and rear hand protector, to protect the saw and operator in the event of chain breakage
- anti-vibration system, to reduce exposure to vibration
- a low-kick chain (safety chain) to provide protections from kickback.

APPENDIX R – Work Method

Procedures Farm Housekeeping/Hygiene.

General Safety Precautions

The Owner must ensure regular farm audits are conducted as per farm checklist on

- hygiene of toilet, washing and dining facilities
- stock maintenance on toilet and washing stocks
- debris or clutter in foot and road traffic areas
- debris or clutter, in paddocks (e.g. barbed wire in overgrown grass, rusty iron, broken glass)
- foot or road traffic areas are in good condition for use (e.g. no 'pot' holes, overhanging tree branches)
- there are no 'sharps' hazards in foot traffic areas e.g. protruding iron or nails in buildings)
- safety of farm ladders
- empty fuel drums discarded on property (risk of fumes)
- Employees and other persons report housekeeping and maintenance issues.

APPENDIX S – Work Method Procedures – Grinders

General Safety Precautions

The Owner must ensure:

- All operators are competent or otherwise trained for using grinders
- any grinder has a stable base and is secured on a purpose built grinder stand
- grinders do not impede safe traffic. If necessary relocate any grinder so that it is out of the way
- all operators are provided with and use eye protection
- all operators are provided with and use hearing protection

APPENDIX T – Work Method Procedures – Working in Isolation or Alone.

General Safety Precautions

The Owner must ensure Employees and other persons are informed on the following procedures:

- 1) Before the worker checks out to do any work in remote areas the farm owner/supervisor must confirm the worker has a reliable and charged mobile and must also agree the itinerary of farm activity.
- 2) When the worker arrives at destination there should be immediate phone contact with the farm owner/supervisor to confirm safe arrival and accessibility of communication.
- 3) There must be agreed times of phone contact so that in the absence of such contact the farm owner/supervisor is alerted to a possible emergency.
- 4) The worker must be given a first aid kit to take whilst working remotely.

APPENDIX V– Piggery Worker Induction Checklist

PIGGERY WORKER INDUCTION CHECKLIST	
Employee's Name:	Start Date:
Position / Job:	
Introduction	
<input type="checkbox"/> Explained layout and activities of the piggery <input type="checkbox"/> Explained expected duties of employee	
Job Introduction	
<input type="checkbox"/> Explained roles and responsibilities of people in the workplace <input type="checkbox"/> Explained health and safety policy and procedures (copy provided) <input type="checkbox"/> Explained how to report hazards, OHS issues and to whom <input type="checkbox"/> Dress code for work and personal hygiene <input type="checkbox"/> Moving animals and placing barriers to reduce risk <input type="checkbox"/> Explained procedure for working alone <input type="checkbox"/> Established level of employee's competency i.e. <input type="checkbox"/> competent with good experience <input type="checkbox"/> competent but little experience <input type="checkbox"/> training and supervision required <input type="checkbox"/> Demonstrated to the worker how to do tasks safely <input type="checkbox"/> Demonstrated how to wear, clean and maintain all personal protective equipment <input type="checkbox"/> Explained relevant hazards in the workplace and how they are controlled (explain Standard Operating Procedures) <input type="checkbox"/> Explained use and restrictions related to motorcycles and ATV's <input type="checkbox"/> Introduced to other Employees and any supervisor/manager <input type="checkbox"/> Identified first aid officer and shown storage of first aid kit <input type="checkbox"/> Shown the work area, toilet, drinking water and eating facilities. <input type="checkbox"/> Shown how to safely use, store and maintain tools, machinery, vehicles and hazardous substances <input type="checkbox"/> Employees compensation claims procedure explained including claim forms completion	

Employment Conditions (Explained)

- | | |
|--|---|
| <input type="checkbox"/> Work times and meal breaks | <input type="checkbox"/> Rates of pay and how payment is made |
| <input type="checkbox"/> Taxation (include filling out required forms) | <input type="checkbox"/> Superannuation and other deductions |
| <input type="checkbox"/> Leave entitlements | <input type="checkbox"/> Notification of sick leave or absences |

Conducted by: _____

Date: _____

APPENDIX W – Contractor Or Other Person Engaged To Do Work Induction Checklist

CONTRACTOR/OTHER PERSON INDUCTION CHECKLIST	
Contractor Name:	Date of Service:
Company representing:	
Introduction	
<input type="checkbox"/> Explained layout and activities of the farm <input type="checkbox"/> Explained who to report to	
Job Introduction	
<input type="checkbox"/> Explained roles and responsibilities for contractors <input type="checkbox"/> Copy of liability insurance provided <input type="checkbox"/> Explained how to report hazards and OHS issues, documents required and to whom <input type="checkbox"/> Dress code and required PPE for the job <input type="checkbox"/> Established level of contractor competency by reviewing licenses (copy retained) <input type="checkbox"/> Explained personal health and hygiene requirements whilst working <input type="checkbox"/> Explained relevant hazards in the workplace and how they are controlled (explain Standard Operating Procedures) <input type="checkbox"/> Introduced to supervisor/manager <input type="checkbox"/> Explained where first aid kit is located <input type="checkbox"/> Shown the work area, toilet, drinking water and eating facilities. <input type="checkbox"/> Shown how to safely use, store and maintain tools, machinery, vehicles and hazardous substances that are provided to complete the task <input type="checkbox"/> Identified location of MSDS <input type="checkbox"/> Explained procedure for working alone <input type="checkbox"/> Identified emergency assembly point and procedures	
Contractor Conditions (Explained)	
<input type="checkbox"/> Work times and meal breaks <input type="checkbox"/> Reporting injuries	<input type="checkbox"/> Invoicing and tax details <input type="checkbox"/> Plant and Equipment register

Conducted by: _____

Date: _____

APPENDIX X – WHS Training/Induction Register Contractor

TRAINING/INDUCTION REGISTER					
Date	Specify whether Training or Induction	Name of Employee/Contract or Other Person	Type of training (brief details e.g. competent use of augur)	Competent (tick column)	Inducted (tick column)

APPENDIX Y – Prosecutions Related To Farming Machinery And Others.

An employer: was convicted and fined \$5,000 plus costs after being found guilty at trial for two breaches of s19 (1). Two Employees were exposed to risk of injury when assisting **with the removal of tree branches with a chainsaw, while elevated in the bucket of an excavator.**

The Employer failed to:

ensure there was a safe system for removing tree branches;

provide and maintain a safe working environment, in that the Employees were performing tasks in an elevated workplace, without reasonable fall protection, and in proximity to an electrical hazard which was in contact with the tree being removed.

An Employer: was convicted and fined \$15,000 after pleading not guilty to breaching two counts of section 38(8) (a) and one count of section 38(8) (b).

The employer:

hindered two occupational health and safety inspectors in the exercise of their power to inspect the workplace and take photographs;

refused to answer inspector questions relating to the health and safety of persons at the workplace.

An employer: was convicted and fined \$15,200 plus costs after pleading guilty to a breach of s19 (1) when a worker had her right index finger crushed while cleaning an unguarded machine.

Her finger was subsequently amputated at the first joint. **An appropriate removable guard was stored in a spare parts shed but it had not been used in the four years she had operated the machine.**

The company failed to:

maintain the machine in a safe condition by not guarding the trapping point; and provide any instruction that there was a guard for the machine, how to install it and check that it was properly in place

An Employer: was convicted and fined \$16,000 plus costs after pleading guilty to a breach of s19(1) , **a worker shot himself in the hand while using a quad bike and rifle to frighten birds in an orchard.**

The company failed to:

- conduct an adequate hazard identification or risk assessment;
- develop and implement a safe system of work;
- provide information, instruction, training and supervision necessary to ensure the worker was safe from injury; and
- ensure the employee's supervisor was provided with adequate information, instruction and training in respect of safe systems for preventing birds eating fruit on the property.

An employer: was convicted and fined \$22,400 plus costs after pleading guilty to a breach of s19(1), a worker suffered perforation of the ear drums, permanent eye damage and the amputation of a hand, **when an explosive detonated in his hand. He was using gelnite to destroy rabbit warrens.**

The employer failed to:

- carry out a suitable and sufficient assessment of the risks to safety;

An employer: was convicted and fined \$20,000 plus costs after pleading guilty to a breach of s19 (1). a worker suffered partial **amputation of her left index finger while using a bandsaw to cut lengths of timber.**

The company failed to provide adequate instruction, training and supervision in the safe operation of the bands and adequately guard the machine.