



## National harmonisation update

One set of consistent laws across Australia regulating Work Health and Safety will reduce compliance costs for business and protect the safety of every person in the workplace ... no matter where their work occurs.

The new model Act, Regulations and Priority Codes of Practice, will take effect in South Australia from 1 January, 2012 when OH&S will become known as Work Health and Safety (WHS). South Australia is a step closer to an harmonised approach to occupational health and safety following the completion of the second reading stage of the Work Health & Safety Bill 2011 (SA).

Key changes to laws governing WHS in South Australia are anticipated to be:

- **penalties:** higher penalties will be imposed for breaches of the WHS Act than those currently in place in South Australia. The highest category of offence, proven recklessness, attracts a maximum fine of \$3 million for bodies corporate, a maximum fine of \$300,000 or a maximum of five years imprisonment or both for individuals
- **duty holder:** the primary duty holder will become any "person conducting a business or undertaking" (PCBU). This is a more comprehensive definition than what currently exists in South Australian law and will extend to a body corporate, an unincorporated body or a partnership and removes ambiguity around responsibilities between a principal contractor and subcontractors
- **worker:** the WHS Act broadens the definition of a worker, affording protection to people who may be engaged on a site under the direction of a PCBU but who aren't directly engaged by them
- **due diligence:** the Responsible Officer model under current South Australian legislation will be replaced by a positive duty of due diligence on all officers, and
- **enforceable undertakings:** a legally binding agreement to improve WHS compliance may be used as an alternative to prosecution. The undertaking can be enforced in court and a breach attracts severe penalties.

Safe Work Australia released the final model Work Health and Safety Regulations on 26 September 2011. The role of the Regulations is to support the model Work Health Safety Act and to provide further detail in relation to duties under that Act.

The Regulations set out general health and safety matters and specific high-risk activities including:

- further duties of a PCBU
- factors relating to representation and participation, consultation and union right of entry,



The genius that erected this scaffold will be subject to uniform regulations when WHS harmonisation is in place across Australia in 2012.

- additional duties of principal contractors and other obligations relating to construction
- the duties and regulation requirements for plant and structures
- hazardous work, noise, manual task, confined space, falls and hazardous chemicals
- asbestos and major hazard facilities
- inserting generic management of risks principles to identify and manage risks through an 'hierarchy of controls' amending the minimum steps for agreed issues resolution procedures
- inserting requirements to ensure suitable and adequate information, training and instruction are provided to workers removing the requirement for notification of certain prescribed excavation work inserting requirements to notify the regulator when undertaking certain demolition work reducing the coverage of the construction regulations to cover work on 'fixed' plant.

Safe Work Australia has also released the Codes of Practice; these Codes are significant as they are required to properly understand specific regulations and how to comply with them. They will support the Regulations and cover issues such as; how to prevent falls at work, workplace bullying, fatigue, construction, hazardous chemicals, electrical risks, safe design and managing risks of plant.

## We don't mean to nag, but....



Melanoma can take many forms. See your doctor if you find anything suspect.

Summer is almost with us and again we focus on the two issues that face us most at work and at home - keeping cool and preventing skin cancer.

Did you know approximately 430,000 Australians are diagnosed with a non melanoma cancer every year and that melanoma is the most common cancer in people aged 12-44? To give an indication of what this means, in 2006, 10,326 Australians were diagnosed with melanoma skin cancer and 1,238 died from melanoma.

Those odds are not all that good so what do we do to prevent skin cancer?

If possible:

- Seek shade; plan your work day around working in the coolest part of the day.
- Start and finish early
- Follow the shade
- Wear a broad brimmed hat, long sleeves, long trousers and use sunscreen. This means regularly reapplying the cream
- Wear sunglasses making sure they meet Australian standards.

**Check your skin regularly, this can be a fun thing to do with your partner or friend.**

The second thing to watch out for is dehydration and there is no set exposure time or temperate limit that causes dehydration so be sensible, aware and drink plenty of water during warmer weather.

The first stages of dehydration can be a headache or feeling dizzy. Other signs to watch for are nausea, weakness and fatigue, walking strangely or unsteadily, and muscle cramps.

If you notice any of these symptoms immediately take the following steps

- Stop your activity
- Loosen your clothes
- Sit down and rest
- Take sips of water


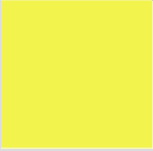
When dehydration gets worse a person will experience vomiting, confusion, agitation, high body temperature and they may have convulsions.

To treat dehydration:

- Give sips of water if the person is conscious
- Pour cold water over the person
- Apply ice to skin to help cool their body
- Call an ambulance and monitor the breathing of the person affected.

The following dehydration chart will help you use your urine colour as an indication of your level of dehydration and what actions you should take to help return your body back to a normal level of hydration.

### Urine Colour Chart

	Doing ok. You're probably well hydrated. Drink water as normal.
	You're just fine. You could stand to drink a little water now, maybe a small glass of water.
	Drink about 1/2 bottle of water (1/4 litre) within the hour, or drink a whole bottle (1/2 litre) of water if you're outside and/or sweating.
	Drink about 1/2 bottle of water (1/4 litre) right now, or drink a whole bottle (1/2 litre) of water if you're outside and/or sweating.
	Drink 2 bottles of water right now (1 litre). If your urine is darker than this and/or red or brown, then dehydration may not be your problem. See a doctor.

## Mumblings and musings

from **Graham Rabbett** OHS Manager

### Snake season is here again

Generally we warn our outdoor workers by telling them of the snake problem and how to reduce the possibility of being bitten.

Last year our cat received a bite from a snake about the size of my big finger, really a tiny thing.

\$1,400.00 later, I had a better idea that the problems of snakes was not just a work place issue but one to face at home as well and that the size of the snake did not have a lot of bearing on the results of being bitten.

So in my case it meant that I cleared the garden of any undergrowth or rubbish and made certain that the back of the shed was clean and tidy - not always the case!

Please ensure that if you are working "outside" you wear shoes or boots and long trousers.

If you are bitten or feel that you have been bitten see a doctor immediately.

More information, including first aid for snakebite, can be found at [www.anaes.med.usyd.edu.au/venom/snakebite.html](http://www.anaes.med.usyd.edu.au/venom/snakebite.html)

### Maxima's Employee Assistance Programme(EAP)

For some years now, Maxima have facilitated an employee benefit scheme that is aimed at assisting with personal problems that may affect work performance, health and wellbeing.

The Programme, facilitated through a local medical provider, has been successful in providing a starting point for advice and information to assist employees to be able to enjoy life without a dark shadow hanging over them.

If you feel that you are in need of assistance, please contact your Manager or your Placement Consultant or me on 08 8340 7766.

*Graham will be providing his insights and advice in each edition.*



Graham Rabbett