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## What Is Workplace Bullying?

Recent court proceeding outcomes have highlighted the seriousness of workplace bullying. Bullying behaviour is not only restricted to employees but it may involve anyone with whom employees of the business come into contact in the regular activity of their employment whilst at work.

In the WorkCover publication, Preventing and Responding to Bullying at Work, bullying is described as 'repeated, unreasonable behaviour directed towards a worker, or group of workers, that creates a risk of physical and/or psychological harm.' A single incident of unreasonable behaviour also has the potential to create a risk to health and safety. The stress caused to someone who is bullied or to those who work in an environment of bullying can result in psychological injuries such as anxiety and depression, and may indirectly cause physical injuries, loss of productivity, turnover or litigation.

### Employer Responsibilities

Employers and managers have a legal duty to guard the health, safety and welfare of their employees and of other people in the workplace whose health and safety may be affected by the work being undertaken. This duty could include risks arising from workplace bullying. As referenced in the Workcover brochure "Being Bullied?" employers need to assess risks to their employees and take appropriate measures to prevent or reduce risk.

### What Can You Do To Reduce Workplace Bullying?

Inform yourself through websites such as: <http://www.workcover.nsw.gov.au/Pages/SearchResults.aspx?k=bullying>

- Clear behaviour policy in employee handbook with OHS procedure to report the situation
- Implementing risk control measures to eliminate the risk/s (or, reducing the risk as reasonably practicable)
- Use Mediation or Employee Assistance Programs to assist in confidential and structured interventions
- Regular communication to staff such as team meeting or toolbox talks
- Know your legal responsibilities as an employer or supervisor and advise staff of rights and responsibilities

To discuss how to implement strategies to tackle or prevent workplace harassment or bullying contact AW Workwise on 1800 249 579

Reference material used from:

[http://www.workcover.nsw.gov.au/Documents/Publications/OHS/Safety%20Guides/brochure\\_prevent\\_bullying\\_5321.pdf](http://www.workcover.nsw.gov.au/Documents/Publications/OHS/Safety%20Guides/brochure_prevent_bullying_5321.pdf)

## As a Registered Training Organisation(RTO), AW Workwise is now able to offer our customers Accredited Risk Management Training.

This training has been developed to meet two national units of competency (BSBOHS403B – Identify Hazards and Assess OHS Risks and BSBOHS404B – Contribute to the Implementation of Strategies to Control OHS Risk) that form part of Certificate IV – Occupational Health and Safety.

### BSBOHS403B – Identify Hazards and Assess OHS Risks

The competency is supported by the following elements:

- Investigate incidents for prevention – focuses in part on appropriate techniques to investigate an incident including analysing incidents to identify hazards
- Access existing sources of information and data to identify hazards – focuses in part on the review of workplace sources of information and data
- Conduct hazard identification – focuses in part on techniques and tools used to identify hazards
- Assess risk – focuses on in part the selection and use of risk assessment tools to identify key factors contributing to risk
- Participate in the implementation process – focuses on in part maintaining a hazard register and the monitoring and evaluating of hazard and risk assessment activities.
- BSBOHS404B – Contribute to the Implementation of Strategies to Control OHS Risk
- The competency is supported by the following elements:
  - Develop options for risk control – focuses in part on the review of hazard registers and applying the principals of the hierarchy of control
  - Select appropriate options to control risks – focuses in part on the review of risk assessment and the identification of potential factors that may limit the effectiveness of controls
  - Contribute to the implementation of controls – focuses in part on identifying and documenting actions required to achieve change
  - Contribute to the monitoring and evaluation of the effectiveness of controls – focuses in part on monitoring and evaluating the extent of change as a consequence of new controls in consultation with stakeholders.

AW Workwise can run this course at your workplace for your employees - the training consists of one day of face to face tuition from one of our experienced Safety Consultants and then an assessment task for the participants to complete within a 3 month period.

If you would like further information about this course, please contact us on 1800 249 579.

Work Safely in the Construction Industry (White Card) CPCCOHS1001A

## As a Registered Training Organisation, AW Workwise has been accredited to deliver the new Construction Induction Training.

Previously known as the “Green Card” this training is now referred to as the “White Card” or “Work Safely in the Construction Industry”.

As per the new National Code of Practice for Induction for Construction Work, this course can now only be delivered by RTO’s.

AW Workwise runs these courses on a regular basis at our Warners Bay, Parramatta, Maitland, Tuggerah and Campbelltown Branches.

Our next courses are at:

**Maitland** – 12 May (held fortnightly)

**Parramatta** – 7 May (held fortnightly)

**Warners Bay** – 7 May (held fortnightly)

**Tuggerah** – 28 May (held monthly)

To register for any of these courses, please go to:

[http://www.awworkwise.com.au/training/workcover/induction\\_const\\_white.html](http://www.awworkwise.com.au/training/workcover/induction_const_white.html)

or contact us on 1800 249 579.

# Training Courses



## OHS Consultation Training

(4 days - \$550 per person GST free)

For OHS Committee Members & OHS Reps

Newcastle: 5, 6, 12, 13 May (FULL)

3, 4, 10, 11 June

Central Coast: 10, 11, 17, 18 May

8, 9, 15, 16 June

Hunter Valley: 20, 21, 27, 28 May (FULL)

23, 24, 30 June & 1 July

Parramatta: 19, 20, 26, 27 May

22, 23, 29, 30 June

Campbelltown: 17, 18, 24, 25 June

## Construction Induction Training (White Card)

(1 day - \$130 per person GST free)

Newcastle: 7 May

Central Coast: 28 May

Hunter Valley: 12 May

Parramatta: 7 May

## Introduction To RTW Coordination

(2 days - \$420 per person GST free)

Newcastle: 17, 24 May

Central Coast: 21, 28 June

Hunter Valley: 8, 15 June

Parramatta: 1, 8 July

## OHS Consultation Refresher Training

(1 day - \$250 per person GST inclusive)

Newcastle: 29 June

Central Coast: 22 June

Hunter Valley: 5 August

Parramatta: 21 June

## OHS Risk Management Training

(1 day - \$250 per person GST inclusive)

Newcastle: 25 May

Central Coast: 1 July

Hunter Valley: 16 June

Parramatta: 2 June

Campbelltown: 10 May

## Incident Investigation Training

(3 hours - \$150 per person GST inclusive)

Newcastle: 16 August

Central Coast: 8 September

Hunter Valley: 11 May

Parramatta: 5 May

## Work Station Ergonomics Train-the-Trainer

(3 hours - \$220 per person GST inclusive)

Parramatta: 22 July

## Manual Handling Risk Assessment Training

(3 hours - \$110 per person GST inclusive)

Newcastle: 12 May

For more information on any of these courses or to register call 1800 249 579

Or go to our website at  
[www.awworkwise.com.au](http://www.awworkwise.com.au)



The Advanced Safety Awareness Card (ASA) is an on-line training course providing employers with a tool allowing their employees to do a self-assessment to determine their risk perception and personal responsibility. It is beneficial to use as an induction tool and for employee and contractor training.

The assessment could also be beneficial when determining which employees would be most suitable for a safety role within the workplace such as an OHS committee member or an OHS representative.

The course is simple to navigate around with most of the course being simply mouse based with a log in, log out system allowing for participants to complete in their own time. (the training takes between 1-2 hours to complete)

This on-line course is Nationally Recognised, with participants receiving a Nationally Recognised Competency and a Professional ASA Card.

If you would like to find out more about the ASA, please contact AW Workwise on 1800 249 579.

## Summary of Cases

### *In Roger Lyall Hillman v Trevor Lindsay Haydon and Robyn Haydon*

The worker, Karen Elizabeth Carter, worked as a production worker and welder for the employer T&R Manufacturing. On 7 September 2007 the worker was working on a press machine when her left wrist was caught in the machine. The worker suffered severe injuries including partial amputation of her index finger and little finger, and full amputation of her middle and ring fingers.

The employer was charged with failing to ensure the health and safety of the worker, in particular in failing to properly guard the machine.

On the day of the accident the worker was told to work on a 40-tonne press machine. The worker remembered beginning work on the machine and her wrist being caught, but did not remember anything else.

The employer argued that the worker's supervisor had set up the machine. The machine's guard had been blocked after the worker began work on it, although the worker denied any knowledge of how it got that way. The prosecutor asserted that the machine had been wrongly set up.

The worker did not regularly use the machine but was not supervised at the time of the accident. The machine also had some guards missing which may have contributed to the accident.

The employer pleaded guilty to the charges. The machine was taken out of service after the accident and extra safety measures were added to machinery to prevent workers hands coming in contact with moving machinery.

In deciding the case, Industrial Magistrate Ardlie found that the machine had been set up incorrectly, and that the worker had not altered its set-up. Industrial Magistrate Ardlie took the employer's circumstances into account in fining the employer \$10,000 and its owner another \$10,000.

### *In Darren Brown v One Force Group Australia Pty Ltd and CGU Workers Compensation Victoria Ltd*

The worker, Darren Brown, worked for the employer, One Force Group Australia. On 25 January 2006 the worker was trying to lift a concrete grinding machine when he felt pain in his neck and shoulder. The worker developed a neck injury as a result.

The worker claimed damages for pain and suffering.

The grinding machine was an awkward shape and weighed around 80 kilograms. The worker was required to lift it several times in the course of the day before he noticed any pain. The day after the Australia Day holiday, the worker rested all day but experienced pins and needles in his left hand. On 27 January he returned to work but restricted his activities. He tried to continue to work but had to stop a couple of days later.

The worker sought treatment, but felt no improvement. He underwent surgery in August 2006 and was in hospital for a week recovering.

The worker stated that he felt significant relief of pain after the surgery, but he continued to suffer restrictions and some symptoms. The worker stated that he continued to suffer from headaches and ongoing severe neck pain.

The worker had a limited education and had trouble finding an area to retrain in. The worker stated that his injury had caused him considerable difficulties in his everyday life; restricting the activities he was able to undertake.

The employer argued that the worker had over-emphasised his case.

In deciding the case, Judge Lacava found that although the worker had over-stated his case, he was on the whole a truthful witness. Judge Lacava examined the medical evidence and found that the worker was likely to continue to experience significant pain in his neck permanently.

Judge Lacava found that the worker was entitled to pursue damages, and forwarded the case for consideration.