**THE ORIGINS OF WORK HEALTH AND SAFETY**

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**MODULE A**

**Module A is about:**

1. The background of Work Health and Safety in Australia and Tasmania
2. The beginnings of the Work Health and Safety legislation
3. The current Work Health and Safety legislation
4. Regulations, codes of practice and guidelines
5. Construction induction training

**Module A includes:**

1. Content Overview
2. Multiple Choice Quiz
3. Short Answer Quiz
4. Practice activity
5. *‘What you should know’* Checklist

**Word List**

1. Act
2. Regulation
3. Legislation
4. Code of Practice
5. Compensation
6. Risk
7. Hazard
8. Injury
9. Guidelines
10. Self-regulation
11. Potential
12. Mutual
13. Cease
14. Valid
15. Jurisdiction
16. Induction

**CONTENT OVERVIEW**

**WORK RELATED INJURIES**

* *The Work-related traumatic injury fatalities, Australia* (2013) shows that from 2003 till 2013, there were 2806 Australian deaths, which is about 255 per year from work-related accidents.
* From 2003 to 2013, 402 people died in the construction industry.
* **W**ork **h**ealth and **s**afety (WHS) is an important issue in all workplaces
* Preventing accidents in industry is not just for experts but is an issue for EVERYONE including **p**ersons **c**onducting a **b**usiness or **u**ndertaking (PCBUs).

**ABOUT THE LEGISLATION**

* To understand why a law (legislation) was introduced, we have to understand the reasons behind it. There were five main reasons why the WHS laws were introduced:

1. **Self-regulation not working** – letting organisations regulate their own WHS was not effective. Over 500 people nationally were dying each year.
2. **National and overseas legal developments** – WHS legislation updated in line with international and national standards for the twentieth century
3. **Many workers not covered** – WHS initially only covered approximately one-third of the workforce. Now, all workers are covered
4. **Too much legislation** – Previously, in one State there were too many Acts, approximately 26 enforcing procedures relating to occupational/work health and safety
5. **Cost of Compensation** - Billions of dollars spent on workplace compensation. WHS legislation was introduced together with worker’s compensation to provide for injured workers who were unable to work.

* Tasmania first introduced legislation in 1977. The NEW and CURRENT Act is the Work Health and Safety Act 2012.

**CURRENT WHS LEGISLATION**

* Industrial workplace in Australia is governed by:

1. Federal and State legislation and
2. Regulations and Codes of practice

**IN TASMANIA: Table 1**

|  |  |  |  |
| --- | --- | --- | --- |
| Current WHS Act | Current WHS Regulation | WHS Regulating Authority | Website and contact |
| Work Health and Safety Act 2012 | Work Health and Safety Regulations 2012 | Work Safe Tasmania | <https://www.worksafe.tas.gov.au/> |

**REGULATIONS, CODES OF PRACTICE AND GUIDELINES**

* Workplace hazards that have the POTENTIAL of causing injury or disease needs specific regulations or codes of practice too.
* These regulations and codes of practice are part of the State of Tasmania’s WHS Act.
* The role of the regulation and codes of practice is to explain the duties of particular groups of people so that risks associated with specific hazards can be controlled.
* The purpose of codes and guidelines is provide workers in different industries with practical, common sense, industry acceptable ways by which to work safely.
* Regulations are legally enforceable.
* Codes of practices and guidelines give advice on how to meeting the requirements of the regulation.
* Codes of practice are not legally enforceable, but can be used as evidence in court to show that a regulation has been met or has not been met.

**PRATICAL USE OF A CODE OF PRACTICE**

* Codes of practice are written by Safe Work Australia as ‘Model Codes of Practice.’
* From this model, each State and territory’s regulating authority (Work Safe Tasmania) adopts this code of practice in different areas, for example:

1. Managing the risk of falls at workplaces
2. How to safely remove asbestos

**GENERAL CONSTRUCTION AND INDUCTION TRAINING**

* The WHS Regulations 2011 (Commonwealth) says that workers in the construction industry have to finish a general induction training before they carry out construction work
* This general induction training teaches basic knowledge on construction work, the WHS laws, common hazards and how risks can be controlled
* On completion of the general induction training the worker will receive a card (Figure1) that gives:

1. A statement outlining the training they received
2. Identifies who trained them
3. Identifies the assessor
4. The date the training was completed

* The construction induction card will:

1. Have your name on it
2. The date you completed training
3. A special number of the registered training organisation
4. What State (TAS) you completed this training
5. A unique number for you to say you have completed this training

* **You must carry this card on-site at all times and produce it when asked**
* The card can cease to be valid if you have not carried out construction work a certain period of time. For example 2 years. If so, you will have to do the induction training again.

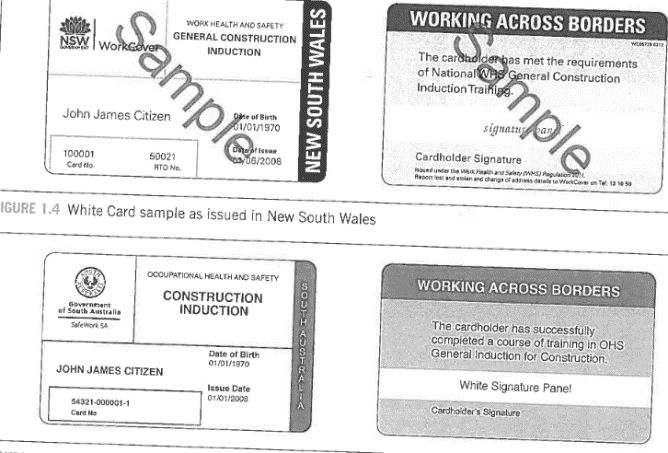
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Figure 1: Construction Induction Card

**MULTIPLE CHOICE QUIZ**

1. What does WHS mean?
2. Workplace Healthy and Safety
3. Work Health and Safe
4. Work Health and Safety
5. What is Tasmania’s WHS Act?

(a) Workplace Healthy and Safety Act 2002

1. Work Health and Safe Act 2014
2. Work Health and Safety Act 2012
3. Who is the regulating authority for WHS?
4. Workplace Tasmania
5. Work Safe Hobart
6. Work Safe Tasmania
7. Are regulations legally enforceable?
8. Yes
9. No
10. Are codes of practice legally enforceable?
11. Yes
12. No

**SHORT ANSWER QUIZ**

Please briefly answer the following questions:

1. Workplace hazards have the potential of doing what?
2. What is the role of regulations?
3. What is the purpose of codes and guidelines?
4. What are the fives reasons why WHS laws were introduced?
5. Who governs industrial workplace in Australia?
6. What training do have to complete before carrying out construction work? Please explain a little about the training.

**PRACTICE ACTIVITY**

Using the information in Table 1, visit the website of the regulating authority for Tasmania and search for: How to Safely Remove Asbestos Code of Practice Oct 2018 (PDF, 3.0MB).

Using this document, please answer the following questions:

1. What type of licence is required to remove ‘any amount or quantity of asbestos or ACM, including: any amount of friable asbestos or ACM?’
2. What type of licence ‘can remove: − any amount of non-friable asbestos or ACM?’
3. In Tasmania, what is the maximum amount of non-friable asbestos or ACM that can be removed by someone with no licence?

***‘What you should know’* Checklist**

1. You should know what legislation and regulation covers WHS

1. You should know what regulating authority covers work safety in Tasmania
2. You should know what is the role of codes of practice and guidelines
3. You should know why the WHS laws were introduced
4. You should know how to search of codes of practice
5. You should know the process of construction induction training