



Choose Safety Pty Ltd

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No 4: July 2013

Welcome to the latest Choose Safety newsletter!

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Things have been rather hectic thanks to the introduction of the WHS legislation here in SA on the 1st January. While times may still be economically tough for some companies, we have noticed that workplace safety and compliance has not taken a back seat in many companies and industries. It is pleasing to see that maintaining a safe workplace is up there with other business indicators such as sales and profitability. Safety must not stop when times get tough.

Obviously this is good for Choose Safety, but it is ultimately better for all businesses and most importantly, helps to ensure the safety of all workers. The old cliché “People are your biggest asset” is certainly true and we are pleased to be able to be involved with organisations who understand this and are keen to keep their workers, officers and PCBU's safe.

Keep up the good work – and keep safe!!

Craig Schopp – Director and Principal Consultant

SME's get on with WHS compliance

There has been a fair amount of press (both good and bad) regarding the impact that the WHS legislation will have on small and medium business (SME's). Since January, Choose Safety has undertaken a number of jobs for SME's where we have developed base level safety documentation for these companies. Our experience in this area tells us that smaller companies do understand the importance of having safety systems in place, but they need them to be simple, effective and compliant. The SME's we have recently helped cover a very wide range of industry sectors, as shown below:

Lincoln Tree Control – Horticultural Services

Overall Heavy Equipment – Earthmoving equipment servicing & maintenance

Bluesky Air-Conditioning – Building and Construction Services

PACT I.T. – IT & Computer Services

Andre's Cucina – Hospitality

Metro Castings – Infrastructure Services

These companies are often contracted by larger organisations in both private and public sectors. If you are a bigger company, have you made sure that your (sub)contractors have the necessary safety procedures and systems in place to work safely for/with you?

Choose Safety can help you help your contractors maintain WHS compliance.

Remember:

***“The standard you walk
past is the standard you
set!”***

******* NEWS FLASH – We Are Moving *******

We have outgrown our little office in Somerton Park. From 11th August 2013, Choose Safety will be located at **193 Marion Road, Richmond, SA, 5033**

Our phone and e-contact details will stay the same. **Drop in for a coffee!!**

Business – How are the changes to the Health & Safety laws affecting you?

As a business owner/manager you need to create a positive health and safety culture. This means actively promoting 'health and safety first' attitudes. You need to maintain a work environment without risks to health and safety, so far as is reasonably practicable. Here are some tips to assist you with creating that health & safety culture:

1. Identify changes between the old OHS Act and the new WHS Act to understand what needs to change, and what can stay the same in order to achieve compliance.
2. Review organisational structure to determine where responsibility for WHS lies. – **PCBU vs Officers vs Workers**. Identify the key stakeholders within your organisation and ensure that clear role definitions are documented at all levels throughout the company.
3. Review policies, procedures and associated documentation to ensure that not only are they compliant, but that terminology and references used are consistent with the new legislation.
4. Review contracts with relevant third parties such as suppliers of plant, equipment, substances or labour hire to clarify respective obligations.
5. Review your consultation arrangements to:
 - Confirm that you are consulting with all required parties, again coming back to the expanded definition of workers, and
 - Establish whether you need to elect health and safety representatives (HSRs) for identified workgroups, or if existing alternative arrangements are practicable.
6. Ensure that procedures protect workers against discriminatory conduct by the employer if a worker who raises a health and safety issue.
7. Review the new regulations and codes of practice to determine what changes will need to be made to your safety systems. . [Click HERE](#) to access the South Australian WHS Legislation, Codes of Practice and Fact Sheets



Contact Choose Safety today to arrange a review of your safety systems and keep up to date with the new changes

New Clients – and what we are doing to help them

We provide OHS/WHS services to a wide range of companies and industries in South Australia and nationally. We strive to provide excellent Customer Service and practical professional advice, which keeps our existing clients happy, safe and informed of relevant requirements. Most of our work is provided on an "as required" basis and ongoing or repeat business shows that our existing clients are satisfied.

This list below shows some of our new satisfied Customers.

Dept of Defence – WHS, Chemical and Radiation Safety auditing

City of Onkaparinga Council – Safety compliance auditing

Kingston Estate Wines – WHS Compliance audit

Platinum Fine Homes – Safety Management documentation and Induction training

Channel 7 – On-site Safety Supervision, "House Rules" (Adelaide episode)

Woods Constructional Engineers – Safety Management Plan, Quality Management Plan and Safety procedures

Uniting Care Wesley Bowden & Westside Housing Association – WHS Compliance audit

St Peter's Boys College – Plant and Chemical safety reviews

If you are not (yet) a client, we will be happy to also add **you** to our list of satisfied Customers – contact us today to discuss your specific business requirements.

**The Choice is easy....
Choose Safety!!**

Understand who your “Workers” are – NSW ruling

In a recent ruling, the Industrial Court of New South Wales (NSWIRC) has considered for the first time the meaning of a “worker” of a PCBU under the (NSW) Work Health and Safety Act. This is significant, as the same definition of “worker” applies in SA.

- Essential Energy is a NSW Distribution Network Service Provider who was required to provide access to its electricity network to accredited service providers for the purpose of those providers completing work. Ronin Pty Ltd was an energy service provider engaged by Hibbard Pty Ltd to complete works on Essential Energy's network. As part of the work undertaken, a 20 year old apprentice electrician employed by Ronin received an electric shock after ascending power pole.
- Essential Energy was issued with an Improvement Notice by NSW WorkCover in respect of the Incident. Essential Energy disputed the Improvement Notice and sought an internal review by WorkCover, arguing (amongst other things) that it did not have a duty to the injured worker as a PCBU and that the worker was not a “worker” of Essential Energy within the meaning of the WHS Act.
- WorkCover upheld the Improvement Notice. In making its decision, WorkCover found that Ronin (although not engaged by Essential Energy) was a “sub-contractor” within the meaning of “worker” under section 7 of the WHS Act and that Ronin workers would be considered workers of Essential Energy as a PCBU.
- The NSWIRC concluded the injured Ronin employee was a “worker” of Essential Energy under section 19 of the WHS Act. The Court observed that “worker” was broadly defined under section 7 and extended to employees, contractors, subcontractors, outworkers and volunteers who carry out work in any capacity for a PCBU. The Court also agreed with WorkCover that the worker was carrying out work as part of Essential Energy's undertaking.

Implications for employers

Businesses which have sub-contractor arrangements in place need to be aware that their work health and safety obligations as a PCBU extend to employees of sub-contractors, even though there may not be any direct contractual relationship between the PCBU and sub-contractor.

SOURCE: King & Wood Mallesons

Getting to know Choose Safety – Craig Schopp

Craig is the Managing Director and founder of Choose Safety (so yes, he is also the PCBU !!) Most of Choose Safety's clients have met Craig at one time or other, but what do you really know about him??? Starting work as a draftsman within manufacturing, Craig moved into industrial/process engineering and likes to think he was one of the last people in SA to do a time and motion study with a stop watch. These activities resulted in management realizing that he could identify process improvements and also write procedures, which had a direct linkage to the push for formal Quality Management Systems in the late 1980's. As requirements for all management systems are closely linked, it was a logical progression to include Safety and Environment management systems in his repertoire of skills.

Craig has formal qualifications in Engineering, Quality Management and Safety Management, workplace training and assessment, is registered as a Principal Safety Auditor with RABQSA and is a Chartered Professional Member of the Safety Institute of Australia (SIA). Keen to keep learning, Craig has also just completed a Masters' Degree in Occupational Health & Safety.

In addition to the Choose Safety consulting work activities, Craig also provides contracted training services to SAI Global (Standards Australia) and is also currently the chair of the SA Branch of the SIA.

From a personal perspective, Craig is married to Kristen, has 2 daughters and when he is not working he enjoys spending time with his family, fishing, home brewing, and is currently restoring a 1981 JPS BMW 323i.

Contact Choose Safety

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Contact Choose Safety today, mention the newsletter and get a **10% Discount** on the next job we perform for you!!