

## 11. Work Health and Safety Compliance

Whilst the Sub-Branch operates as a 'Volunteer Association/Organisation' as defined in the Work Health and Safety Legislation (does not employ workers - pay wages), it does not have to comply with the State Work Health and Safety legislation. However, as a good community citizen the Sub-Branch should do its best where reasonably practical to comply with the Work Health and Safety Legislation as amended from time to time by the Queensland Government. For the sake of clarity, the following definitions apply:

- a. **Businesses** - A person conducting a business or undertaking (PCBU) has an absolute duty to take all reasonably practical steps to ensure the health and safety of workers and persons impacted by the business or undertaking.

**Reasonably practicable steps** mean those available ways of eliminating or minimising the risk of injury after having considered a number of relevant matters together, such as the likelihood and severity of the risk and the means to control it, weighed against the costs associated with eliminating or minimising the risk. A PCBU whose activities include the management or control of workplaces, fixtures, fittings and plant must ensure, so far as is reasonably practicable, that the workplace and anything arising out of it are without risks to health and safety.

- b. **Officers** - An officer of a PCBU has a positive duty to exercise 'due diligence' to ensure that the PCBU complies with its safety obligations. Officers must be proactive and owe a continuous duty to ensure compliance.

**Officer** means a director or person who makes or participates in the decision making of the business or who has the capacity to significantly affect the business' financial standing e.g. senior or operational management.

**Due Diligence** means an officer must acquire and keep up-to-date knowledge of work, health and safety matters and ensure the PCBU has, and implements, processes for complying with the PCBU's obligations. The standard of care required relates to the position and influence of the officer within the PCBU.

- c. **Workers** - A worker has a duty to take reasonable care for their own health and safety while at work and also to take reasonable care so that their conduct does not adversely affect the health and safety of other persons at the workplace.

A Volunteer is a worker under the WHS Legislation.

**Reasonable care** is proportionate to the level of control a worker is able to exercise over his or her work activities in a work environment. Workers must comply with reasonable directions and instructions as well as cooperate with any reasonable policy or procedure of the PCBU.

- d. **Volunteers** - A volunteer cannot be prosecuted for a failure to comply with a health and safety duty, other than in their capacity as a worker or visitor at the workplace. A volunteer means a person who is acting on a voluntary basis, irrespective of whether the person receives payment for out-of-pocket expenses.

- e. **Volunteer Associations** – are excluded from the definition of a PCBU for the purposes of the Act. These associations are groups of volunteers working together for one or more community purposes where none of the volunteers, whether alone or jointly employ any person to carry out work for the association.
- f. **Unincorporated Associations** – are excluded from the operation of the Act and cannot commit an offence. Nevertheless, an officer or worker of an unincorporated association can still be liable under the Act, unless they are a volunteer.

The Sub-Branch conducts activities (commemorative events/fund raising, meetings and social events) which attract a varying level of risk and, as such, the Sub-Branch should take all reasonably practicable measures to ensure a safe environment when conducting these activities.

#### **Safe Work Method Statement**

Attached is a Safe Work Method Statement which is to be applied when a Sub-Branch member is involved in any physical activity where there may be inherent dangers in the set-up, conduct and take down of the activity.

## Safe Work Method Statement

**Workplace:** Fund raising stall/selling point

**Hazards:**

1. Age of workers involved
2. Workers existing illness/injuries/mobility impairment
3. Armed robbery
4. Disgruntled client
5. Fatigue
6. Environmental conditions
7. Hazardous manual tasks (set up and dis-mantling of tables/stall)
8. Medical emergency
9. Fire emergency (at selling venue or facility)

**Set up procedure:**

1. Where possible use plastic folding tables
2. Use two (2) workers on each table – when moving, setting up, moving around site
3. Merchandise – ensure it is in small boxes and use a trolley to move boxes from cars to sites
4. Ensure chairs are available

**Operation:**

1. Develop roster for workers to ensure individuals are not on the job for more than one (1) hour at a time
2. Workers to remain hydrated through the consumption of water
3. When able sit down to relieve legs and lower back
4. If outdoor sales site ensure sufficient shade, and as appropriate use sunscreen, wear a hat, sunglasses, long sleeved shirts
5. Location of amenities

**Emergency procedures:**

**1. Robbery:**

- a. Stand still, keep hands visible, no quick moves/actions, stand slightly side on to armed robber (submissive position)
- b. Obey instructions, do as told, allow person to depart
- c. Remain calm, speak only when spoke to, avoid provoking robber, avoid staring
- d. Observe, features, clothing, distinguishing features – scars, tattoos, voice, tone, height, weight, when or if safe write down getaway vehicle details,

licence plate

- e. Stay where you are, do not chase, do observe, record the facts
- f. When safe call police
- g. Secure site
- h. Ask witnesses to remain
- i. Compile incident report when able and pass to Sub-Branch Secretary

**2. Disgruntled client:**

- a. Do not engage in confrontational conversation
- b. Remain calm, speak only when spoke to, avoid provoking individual, avoid staring
- c. Observe, features, clothing, distinguishing features – scars, tattoos, voice, tone, height, weight, when or if safe write down details
- d. Stay where you are, do not chase, observe
- e. When safe call police
- f. Secure site if required
- g. Ask witnesses to remain
- h. Compile incident report when able and pass to Sub-Branch Secretary

**3. Medical emergency:**

- a. Call 000 for assistance
- b. If possible, make the casualty safe and comfortable
- c. Reassure casualty
- d. Make notes of incident to aid medical staff on arrival
- e. Compile incident report when able and pass to Sub-Branch Secretary

**4. Fire emergency:**

- a. Call 000 for assistance if required
- b. Egress (exit) locations, type of alarm(s), Assembly Areas, respond to facility emergency staff or other designated emergency response team personnel
- c. Compile incident report when able and pass to Sub-Branch Secretary

**Dis-mantle:**

- a. Use two (2) workers on each table – when moving, dis-mantling
- b. Merchandise – ensure it is in small boxes and use a trolley to move boxes from sties to cars

**Legislative compliance:**

WHS Act s19: NGC RSL Sub-Branch has developed this SWMS, provided information, training, instruction on it and through a random Safety Behaviour Observations will provide supervision

WHS Act s28: NGC RSL Sub-Branch workers are to comply with this SWMS, so far as the worker is reasonably able as they were trained.

WHS Act s46-s49:NGC RSL Sub-Branch will continue to consult with workers to ensure this SWMS remains current