



# SAFE WORK MANUAL

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## **INTRODUCTION**

### **MESSAGE FROM NT WORKSAFE**

The *HOSPITALITY NT Safe Work Manual* has been developed in response to changes to Northern Territory legislation over recent years. The harmonisation of health and safety laws across all Commonwealth states and territories resulted in the *Work Health and Safety (National Uniform Legislation) Act 2011* coming into force in the Territory mirroring contemporary laws that were implemented nationally.

It is important that HOSPITALITY NT members are regularly kept up-to-date with any changes, especially considering the 2011/2012 legislative package involved some concepts, processes and procedures that were new. The general rule of thumb at the time was that those changes suddenly didn't make you non-compliant, especially if you had met the previous health and safety criteria.

The key to meeting your duty of care and due diligence obligations under the current laws is to ensure that you have a sound 'safety management system' in place so that your staff are safe at work. That means you need to have a layered approach to health and safety in the workplace. You should be developing and implementing a series of policies and procedures relevant to your workplace that offer a systematic approach to addressing health and safety challenges.

Although the hospitality industry is generally regarded as a lower risk than some others, like manufacturing or rural industries for instance, the need for guidance remains essential. Noting that more than 50% of hospitality worker's compensation claims in the Northern Territory are muscular stress related injuries suggests that there are areas that need to be worked on for better health and safety outcomes.

This manual has been developed with the assistance of health and safety professionals and key government departments e.g. Safe Work Australia, NT WorkSafe etc. It offers you information, fact sheets and generic templates with a view to helping you keep your workers safe and meeting contemporary compliance obligations.

This tool has been designed to help you evaluate and address health and safety issues in the workplace. The contents highlight the important areas that will lead to a reduced risk of injury to your workers and others, whilst ensuring your business complies with the legislation.

If you have any questions in relation to this Manual or your Work Health and Safety obligations in general, please contact **Hospitality NT on 8981 3650**.

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## Chapter 1

# LEGAL FRAMEWORK

## Act and regulations

The Northern Territory *Workplace Health and Safety Act* was repealed and replaced by the [Work Health and Safety \(National Uniform Legislation\) Act 2011](#) as part of the Commonwealth states and territories national harmonisation of workplace health and safety laws. The Regulations also changed to the [Work Health and Safety \(National Uniform Legislation\) Regulations 2011](#). New guidance Codes of Practice continue to be developed.

## How legislation works

Essentially, the *Work Health and Safety (National Uniform Legislation) Act 2011* provides the framework for health and safety compliance in the NT. The Act sets out the objectives, key principles, obligations and rights of duty holders – what needs to be achieved, what your responsibilities are and what happens to you if you don't comply.

The Regulations are subsidiary legislation formed under the Act and specify the duty holder's obligations in detail. Regulations are legally enforceable. They're more about the practicalities of implementing work health and safety and tell you how you go about achieving outcomes, including compliance. The Act is 'the what,' the Regulations are 'the how.'

A suite of work health and safety Codes of Practice have been developed and continue to be introduced over time. Codes of Practice are practical guides to achieving the standards of health, safety and welfare required under the Act. They are admissible in court proceedings as evidence of what is known and how to deal with hazards and risks, or implement certain control measures.

Australian Standards are documents which set out specifications and procedures designed to ensure products, services and systems are safe. Standards are voluntary unless the Standard has been called up and set in legislation.

The Act, Regulations and Codes of Practice now in force in the NT were developed by Safe Work Australia, a Commonwealth regulatory body that was formed to oversee the pathway to national work health and safety harmonisation.

Other associated legislation that relates to work health and safety such as workers rehabilitation and compensation, dangerous goods and electrical safety but this manual concentrates on the most relevant for the hospitality industry.

## Chapter 2

### **GUIDE TO WORK HEALTH AND SAFETY COMPLIANCE**

Workplace laws have become more prescriptive over recent years with increases in duties and responsibilities for business i.e. the Regulations now run for 629 pages. This guide attempts to capture and explain in plain English an overview on how to become and remain compliant under the NT work health and safety regulatory system.

Under work health and safety legislation in the Territory an employer, or a 'person who conducts a business or undertaking' as this is now called, has a primary duty of care to ensure the health and safety of workers engaged by that business. This isn't a new concept. Previous laws required employers not to expose their workers to health and safety risks arising from their employment. In a nutshell, your aim should be to provide a workplace without risk to health and safety, maintain safe systems of work, safe mechanical plant and equipment, ensure the safe use of equipment and chemicals, and provide adequate facilities and training for your workers.

It's important that someone in your business has carriage of health and safety matters at the workplace. Not only do you need to implement health and safety policies, procedures and systems, you also need to maintain them. Company officers (corporations and unincorporated entities) also have a 'positive' duty to exercise due diligence under the legislation. There are specific legislative requirements set down on how you achieve that.

So, how do you do all that without any expertise in the area? Work health and safety isn't 'rocket science' and has been around long enough for you to have at least a passing knowledge of what could be a hazard and how you rectify it. Having written procedures for performing tasks safely isn't difficult either. There is always professional assistance available. The fact of the matter is, whether you have any knowledge or not, a business today needs to meet certain health and safety benchmarks.

#### **Compliance at a glance**

What do we need to have in place to be compliant? Here are some of the basics:

- Develop a work health and safety policy for your business which outlines the commitment you and your staff have been set (**see Annex A for a template**).
- Endeavour to implement a work health and safety management system in your business. A 'safety management system' is an overarching structure that encompasses effective policies and procedures to actively address health and safety issues and generally encompasses the following:
  - Policies and procedures that reflect management commitment in achieving work health and safety goals.
  - A system that identifies workplace risk and implements suitable control measures.
  - Safe Work Procedures for tasks that involve identified health and safety risks (a Safe Work Procedure is a way of carrying out a task in a safe manner).
  - An initial work health and safety induction for new staff and ongoing training.

- A reporting system for work health and safety issues.
- A consultation process that involves staff in work health and safety decision-making.

Ensure your staff adheres to your policies and procedures.

- Keep up-to-date with work health and safety changes, trends and information. Periodically access the NT WorkSafe website. Discuss work health and safety at management level.
- Develop and implement Safe Work Procedures for activities that pose a potential injury risk to your staff e.g. moving beer kegs.

A Safe Work Procedure is a written procedure that outlines a safe method of carrying out a task. They should be individualised to suit the workplace circumstances and discussed with relevant staff. Make sure workers understand and follow these procedures (**see Annex I for Safe Work Procedure templates**)

- Routinely inspect or audit your workplace for hazards, risks and compliance. Have a formal process in place for this and record your actions. Ask your staff if they can identify any particular hazards or risks. Assess the risk and determine what your priorities should be on rectifying any problems. Take into consideration all the factors involved. If you can't eliminate a hazard you may be able to isolate or minimise the problem.
- Determine and put into place control measures to eliminate or mitigate any hazards that you find. Review as to whether these control measures are effective.
- Ensure you induct your new staff on work health and safety matters – they are generally new to your workplace, and in some cases the industry. Young, casual staff are our most 'at risk' employees and it is important they are given appropriate information, instruction, supervision and training from the start.
- Consult your staff on safety. Seek their input on safety issues during staff meetings. Ensure they are informed of any safety outcomes. Consult with other businesses who may also have health and safety duties in your workplace i.e. suppliers, contractors, cleaners etc. Have contractors abide by your health and safety policies and procedures.
- Have a formal work health and safety reporting process for your workers e.g. incident report, diary etc. Ensure you have copies of the NT WorkSafe Work Health and Safety – Incident Notification Form (**see Annex H**) for any mandatory reporting i.e. incidents that result in serious injury requiring admission to hospital (as an in-patient).
- Ensure you keep a written record of all of the above including the resources you allocate to work health and safety compliance.

### **Other responsibilities**

A business is obliged to:

- Identify reasonably foreseeable hazards in the workplace and either eliminate or minimise the risk so far as is reasonably practical to do so.
- Provide and maintain adequate and accessible facilities for workers.

- Ensure that an adequate number of workers are first aid trained, or have access to persons who have been trained to administer first aid (recommended low risk industry – one first aider per 50 workers but compensate for other factors e.g. multiple shifts, seasonal work, remoteness).
- Prepare, maintain and implement an emergency plan.
- Develop a register of hazardous chemicals for the workplace. Keep copies of Safety Data Sheets in the location chemicals are used.
- Have inspected and tested, by a competent person, any electrical equipment that is used in a hostile operating environment (conditions which are likely to involve damage due to exposure to moisture, heat, vibration, mechanical damage, corrosive chemicals or dust).
- Ensure that any electrical risk to equipment used in a hostile operating environment, or damage caused to the equipment or electrical supply cord when moved, or is frequently moved during its use, is protected by the use of a residual current device (safety switch).
- Ensure that any asbestos at the workplace is identified by a competent person.
- Develop an asbestos management plan if asbestos is present in the workplace.
- Ensure an asbestos register exists for any workplace built prior to 1 January 2004 (whether asbestos is present or not).
- Permit work health and safety permit holders (union officials) entry to the workplace to inquire into suspected contraventions of the Act, inspect employee records or to consult and advise relevant workers.
- Manage risks associated with hazardous manual tasks, falls from one level to another and hearing loss due to noise.

Employees have the option under this legislation to request that a Health and Safety Representative (HSR) be elected at a venue. This person is a worker representative who assesses and monitors work health and safety at the workplace. This appointment is not compulsory unless requested by the workers.

Health and Safety Committees (HSCs) are common amongst accommodation or larger hospitality venues. They're a useful tool in ensuring health and safety standards are maintained. A business can voluntarily establish a committee if they wish; however, one must be formed if requested by an HSR or five workers.

Workers have duties to take reasonable care for their own safety and others, comply with any instruction relating to health and safety, and co-operate with any reasonable policy or procedure.

## Chapter 3

### ***DUE DILIGENCE***

The NT *Work Health and Safety (National Uniform Legislation) Act 2011*, imposes a specific duty on officers of corporations and unincorporated bodies to exercise due diligence to ensure that the business meets its work health and safety obligations.

#### **Why place a due diligence requirement on an officer?**

A business is operated by individuals who, through their decision making, influence the activities and behaviours that determine the success or failure of health and safety initiatives and compliance with work health and safety laws. These individuals strongly influence the culture of the business and accountability within it. They make important decisions on the resources that will be made available for the purposes of work health and safety and the policies that will be developed to support compliance.

Due diligence requirements enable an officer to ensure that the business uses and applies appropriate resources, policies, procedures and health and safety practices in the conduct of a business. If an officer fails to exercise due diligence requirements, they can be held personally liable.

#### **What exactly is due diligence?**

Due diligence is defined in the *Work Health and Safety (National Uniform Legislation) Act 2011*. In exercising due diligence, company officers will need to show that they have taken reasonable steps to:

- Acquire and update knowledge of health and safety matters.
- Understand the operations being carried out by the business and the hazards and risks associated with those operations.
- Ensure that the business has, and uses, appropriate resources and processes to eliminate or minimise health and safety risks arising from work being done.
- Ensure that the business has appropriate processes in place to receive and respond promptly to information regarding incidents, hazards and risks.
- Ensure that the business has, and uses, processes for complying with duties or obligations under the Act.

As part of due diligence requirements, company officers need up-to-date knowledge about safety issues. They must also ensure that their employer and workers have ready access to information that will help them to avoid risks and hazards in the workplace.

Due diligence under the Act applies whether or not there has been an incident and irrespective of whether the corporation is prosecuted. For example, a work health and safety inspector may, during a routine audit or inspection, ask a hospitality venue licensee or manager to produce evidence that the company officer is meeting his or her due diligence requirements.

Some ways to exercise due diligence obligations are as follows:

### **Acquiring knowledge of health and safety issues**

- Acquiring up to date knowledge of the *Work Health and Safety (National Uniform Legislation) Act 2011*, regulations and codes of practice.
- Investigating current industry issues through conferences, seminars, information and awareness sessions, industry groups and newsletters.
- Acquiring up to date knowledge of work health and safety management principles and practices.
- Ensuring that work health and safety matters are considered at each corporation, club or association board meeting.

### **Understanding operations and associated hazards and risks**

- Developing a plan of the operation that routinely identifies hazards in core activities.
- Ensuring that information is readily available to staff about health and safety risks specific to your operations.
- Continuously improving the safety management system.

### **Ensuring that appropriate resources and processes are used to eliminate or minimise risks to health and safety**

- Establishing/maintaining safe methods of work e.g. Safe Work Procedures
- A Safe Work Procedure is a written procedure that outlines a safe method of carrying out a task. They should be individualised to suit the workplace circumstances and discussed with relevant staff. Make sure workers understand and follow these procedures (***see Annex I for Safe Work Procedure templates***)
- Implementing a safety management system.
- Recruiting personnel with appropriate skills, including safety personnel.
- Ensuring staffing levels are adequate for operational safety.
- Giving safety personnel access to decision makers for urgent issues.
- Maintaining/upgrading infrastructure.

### **Implementing processes for receiving and responding to information about incidents, hazards and risks**

- Employing a risk management process.
- Having efficient, timely reporting systems.
- Empowering workers to cease unsafe work and request better resources.
- Establishing processes for considering/responding to information about incidents, hazards and risks in a timely fashion.
- Measuring against positive performance indicators to identify deficiencies.

## Establishing and maintaining compliance processes

- Undertaking a legal compliance audit of policies, procedures and practices
- Testing policies, procedures and practices to verify compliance with safety management planning.

## Who is an 'officer' under the legislation?

An officer under this legislation is defined in the Commonwealth *Corporations Act 2001* as:

- (a) A director or secretary of the corporation; or
- (b) A person:
  - i. who makes, or participates in making decisions that affect the whole or a substantial part, of the business of the corporation; or
  - ii. who has the capacity to affect significantly the corporation's financial standing; and
  - iii. in accordance with whose instructions or wishes the directors of the corporation are accustomed to act

Note: 'Officers' of unincorporated bodies such as clubs and associations are also captured by this legislation and required to exercise due diligence.

*Prima facie*, an officer could encompass an owner, licensee, manager, general manager or chief financial officer.

## Chapter 4

### **MANAGE HEALTH AND SAFETY RISKS**

In the *Work Health and Safety (National Uniform Legislation) Act 2011* there is a duty imposed on an employer or business (called a 'person conducting a business or undertaking' in the legislation) to manage risks to health and safety in the workplace.

This is nothing new in our work health and safety laws as a similar requirement existed under previous legislation. However, what exactly are your legal obligations and duties in terms of managing these risks under the laws?

A duty holder (let's say in this instance a hospitality venue), in managing risks to health and safety, must —

- Eliminate risks to health and safety so far as is reasonably practicable; and
- If it is not reasonably practicable to eliminate risks to health and safety — minimise those risks.

The guiding principle of the Act is that all people are given the highest level of health and safety protection from hazards arising from work, again, so far as is reasonably practicable.

The term *reasonably practicable* means 'what could reasonably be done at a particular time to ensure health and safety measures were in place.'

In determining what is reasonably practicable, there's a requirement to weigh up a range of relevant matters including:

- The likelihood of a hazard or risk occurring i.e. the probability of a person being exposed to harm.
- The degree of harm that would result if the hazard or risk occurred i.e. the potential seriousness of injury or harm.
- What the person concerned knows, or ought to reasonably know, about the hazard or risk and ways of eliminating or minimising it.
- The availability of suitable ways to eliminate or minimise the hazard or risk.
- The cost of eliminating or minimising the hazard or risk.

Ordinarily, cost will not be the key factor in determining what it is reasonable for a duty holder to do unless it can be shown to be 'grossly disproportionate' to the risk. If the risk is particularly severe, a business will need to demonstrate that costly safety measures are not reasonably practicable due to their expense, and that other less costly measures could also effectively minimise the risk.

If a duty holder can't eliminate the health and safety risk, it must be minimised by implementing control measures. The duty holder has to minimise risks, so far as is reasonably practicable, by doing one or more in the following order —

- Substituting (wholly or partly) the hazard giving rise to the risk with something that gives rise to a lesser risk.
- Isolating the hazard from any person exposed to it.

- Implementing engineering controls.

If a risk then remains, the duty holder has to minimise the remaining risk by implementing *administrative controls* e.g. supervision, training, Safe Work Procedures etc.

A Safe Work Procedure is a written procedure that outlines a safe method of carrying out a task. They should be individualised to suit the workplace circumstances and discussed with relevant staff. Make sure workers understand and follow these procedures (**see Annex I for Safe Work Procedure templates**)

Likewise, and in a cascading effect, if the risk still remains the duty holder must minimise it by ensuring the provision and use of suitable *personal protective equipment* e.g. ear muffs, gloves, goggles etc. Both of these options include the qualifier, 'so far as is reasonably practicable.' A combination of these controls may be used to minimise a risk if a single control is not sufficient.

Any specific requirements under the regulation for the management of risk must be complied with e.g. a requirement not to exceed an exposure standard, a duty to implement a specified control measure or a duty to assess risk. Additionally, a duty holder, in managing risks to health and safety, must identify reasonably foreseeable hazards that could give rise to those risks.

Control measures implemented to reduce risk have to be properly set up and effectively maintained for the duration of the work period. A duty holder is required to review and, if necessary, revise the control measures if that's what's needed. Control measures could be revised in the following circumstances:

- The control measures don't effectively control the risk.
- If there's a change in the workplace that gives rise to a new or different risk.
- A review is requested after consultation with workers or their representative.

Hazards and risks in the workplace are required by law to be identified, eliminated and/or mitigated. Formal processes must be put in place to do this under your due diligence obligations.

**(See Annex B for a Risk Assessment Tool)**

## Chapter 5

### **CONSULTATION**

The NT *Work Health and Safety (National Uniform Legislation) Act 2011* places obligations on:

- All duty holders who have a duty to consult, cooperate and coordinate with each other (so far as is reasonably practicable), if they have a duty in relation to the same matter.
- A person conducting a business or undertaking to consult with workers so far as is reasonably practicable.

This means that businesses such as hospitality venues should consult with other persons who conduct a business or undertaking if they have a work health and safety duty relating to the same matter.

An example: a hotel leases a detached bottleshop in a shopping centre. Both the hotel and the shopping centre are 'persons conducting a business or undertaking' under the Act and have duties in terms of work health and safety. As a consequence, both are required to 'consult, cooperate and coordinate' with each other over health and safety issues.

There may be a number of different duty holders involved in an activity – they could be a supplier, a contractor, the owner of the building where the work is carried out, an officer or a worker. Each duty holder can have an effect on work health and safety in relation to the activity and therefore must share information and cooperate with each other to ensure that each person can meet their health and safety duties effectively without gaps or inconsistencies.

#### **Consulting with workers**

A hospitality venue, as a 'person conducting a business or undertaking,' must consult with workers who carry out work for their business who are, or are likely to be, directly affected by a work health and safety issue. The duty is not limited to consulting with employees but includes contractors, subcontractors, labour hire workers, volunteers and any other people working in the business who are, or could be, affected by the matter.

The duty is qualified by 'so far as is reasonably practicable' which means that the circumstances in each case, including the urgency of the health and safety issue and the seriousness of the risk, will be relevant when establishing the level of consultation that is required.

#### **When does the business have to consult with workers?**

Consultation with workers is required when:

- Identifying hazards and assessing risks arising from work and making decisions about ways to eliminate or minimise those risks.
- Making decisions about the adequacy of facilities for the welfare of workers.
- Proposing changes that may affect the health or safety of workers.
- Making decisions about the procedures, including those for:
  - Consultation with workers
  - Resolving work health or safety issues
  - Monitoring the health and safety of workers
  - Monitoring workplace conditions
  - Providing information and training to workers
  - When carrying out any other activity prescribed by the Regulations

A business may choose to consult with workers about health and safety matters in other instances, for example when conducting investigations into incidents.

### **What should the consultation with workers involve?**

The consultation duty requires that:

- Relevant information about the work health and safety matter is shared with workers.
- Workers are given a reasonable opportunity to express their views, raise issues and contribute to the decision making process on how to deal with work health and safety matters.
- The views of workers are taken into account.
- Workers are advised of the outcome of the consultation in a timely manner.

Consultation involves taking the views of workers and health and safety representatives into account before making a decision. Consultation does not require consensus or agreement but it does entitle workers to contribute to any decisions made.

### **Health and Safety Representatives (HSRs)**

If workers are represented by a HSR, the consultation must involve the HSR.

## Chapter 6

### **WORK HEALTH AND SAFETY INDUCTION**

Under modern work health and safety legislation where your duty of care as an employer, or 'person conducting a business or undertaking' (as it's described in the Act), is all encompassing, an appropriate health and safety induction program is necessary when you employ new staff.

The *Work Health and Safety (National Uniform Legislation) Act 2011* doesn't prescribe what you should include in a workplace induction, apart from in the construction industry. However, it does say that you have to:

- Provide adequate work health and safety information, training and instruction to a worker, and
- That it must be suitable and adequate, having regard to the:
  - Nature of the work carried out by the worker
  - The nature of the risks associated with the work
  - Any control measures that you might have in place

Essentially, you're required to have this completed before any work is started.

#### **What type of information should be included in a work health and safety induction?**

Firstly, the answer to that is not too little and importantly, not too much. There is no point in having reams of information to provide a new staff member with – all they'll do is skim over it and turn off. You need to have a précis of about a dozen or so relevant work health and safety issues, dependent on what's applicable at your workplace. It's better if the information is specific to your workplace, as opposed to generic. A way of making a new staff member actually learn the material put in front of them is of course to test their knowledge of it afterwards.

The most important and immediate area that needs to be covered is emergency response and evacuation. Businesses are required by regulation to prepare an emergency plan for the workplace that covers emergency response and evacuation, and other relevant matters. You are obliged to provide information, training and instruction to your workers on this matter, including first response firefighting training.

In the Act, the process of identifying and addressing hazards in the workplace is prominent. You should have a process in place in your business whereby you routinely check the workplace for hazards and rectify them. New workers need to know about any potential risks to themselves.

The safety induction for your venue should be in writing and applicable to your particular venue. The new staff members should sign-off on the document.

**(See Annex C for a Staff Safety Induction template)**

## Chapter 7

### **COMMON HOSPITALITY HAZARDS**

As a general rule there's a group of workplace health and safety hazards and risks that are common to the hospitality industry. These hazards are found in most hospitality venues to varying degrees and are the areas that you need to look at and address to ensure that staff have a safe environment to work in.

We need to make our work and the workplace safe by finding out what is actually unsafe or unhealthy in the first instance, deciding what level of risk is attached and go about eliminating, minimising or managing them accordingly. That's the standard template for managing exposure to workplace health and safety risks. Here are some of those hazards and suggested ways of rectifying them. We extrapolate on these matters in some depth throughout this manual.

#### **Hazardous manual tasks**

Hazardous manual tasks (or manual handling as it used to be called) can lead to muscular stress type injuries – trauma or pain to your back, knees, elbows etc. This is the most prevalent hazard within our industry. In hospitality venues we are required to physically move a lot of stock around. Couple this with the fact that many of our staff are young people and the nature of employment casual; this means an increased health and safety risk profile (less experience and job ownership, and 'ten foot tall and bullet-proof' young males in particular). High staff turnover rates are another factor which can lead to a reluctance to invest in training. For work activities that involve hazardous manual tasks:

- Make sure all staff have received instruction and training to perform the task – that means appropriate induction training.
- Use mechanical aids like trolleys and carts.
- Use other people to help lift heavy items (team lift).
- Lift and carry heavy loads properly, by keeping the load close to the body and lifting with the legs – not the back.

#### **Burns and scalds**

This is an obvious hospitality related hazard that is primarily found in the kitchen but it can be a problem elsewhere, especially with mechanical plant and equipment. For the latter, control measures could include signage, machine guards or even a system to isolate the heat source. In kitchens, its industry practice to use personal protective equipment such as gloves, aprons and the like. Scalds from boiling water are a common event and its best to use a trolley when moving urns or large pots around.

#### **Emergency preparedness and response**

##### **Hazardous chemicals**

All hospitality venues use hazardous chemicals in some form or another, usually as cleaning agents. There'll probably be some in the kitchen to clean ovens and grills, and elsewhere back of house e.g. beer line cleaner or industrial strength general cleaning chemicals. Hazardous chemicals are required to be labelled.

- Use the least hazardous chemicals for the job.
- Use protective equipment when handling hazardous chemicals.
- Keep a hazardous chemical register on the premises.
- Make sure Safety Data Sheets (SDS's) are available for chemicals used in the business – these detail the makeup of the chemical and provide safety advice.
- Store chemicals safely and securely when not in use.
- Do not store chemicals in food and/or drink containers and make sure they are correctly labelled.

## **Slips, trips and falls**

The nature of the industry means that staff sometimes work in wet areas. Steps can be taken to reduce the risk of slipping. Many venues have pipes and lines that leak. Repairs should be undertaken to prevent moisture from pooling on the floor. Many hospitality venues have poor housekeeping practices back of house and there's a build-up of 'flotsam and jetsam' in high pedestrian areas. Control measures to deal with these hazards include:

- Condensation is always an issue – mop up the moisture build-up as required.
- Wear non-slip and suitable footwear for the task.
- Cover existing slippery surfaces with non-slip material, or use non-slip mats.
- Clean up spills and dropped food immediately.
- Put out 'wet floor' warning signs where floors are wet or slippery.
- Install good lighting so people can see any obstructions ahead.

## **Electrical**

There are always risks surrounding moisture and electricity. For instance, every hospitality venue has electrical power points and equipment leads often under the bar counter and situated near liquid sources (sink, beer or post-mix taps). The recommended protection, if the hazard can't be eliminated, is to have Residual Current Devices (RCDs or safety switches) installed on all your electrical circuits. RCDs are required in what is termed 'hostile operating environments', in which bar areas would probably be applicable. In addition:

- Use licensed electricians for all electrical work.
- Secure and protect extension leads from damage e.g. don't use in pedestrian areas.
- Inspecting, testing and tagging of electrical cords and equipment are required in hostile operating environments\*.
- Use waterproof covers to protect electrical sockets from moisture.

\*Note: A hostile operating environment is a term used to describe an environment where electrical equipment is exposed to operating conditions that are likely to result in damage to the equipment or a reduction in its expected life span. This includes

conditions that involve exposing the electrical equipment to moisture, heat, vibration, mechanical damage, corrosive chemicals and dust. Examples include wet or dusty areas, outdoors, workplaces that use corrosive substances, commercial kitchens, and manufacturing environments.

## **Machinery and equipment**

Many hospitality venues' mechanical plant rooms are used to store 'flotsam and jetsam'. This can be a risk to maintenance contractors or indeed your workers. Other dangers could be from radiated heat and moving parts from the machinery. Ensure guards are fitted accordingly. Operating instructions and safety information should be located near machinery and equipment. Only allow access to plants rooms to authorised personnel.

- Make sure machinery and equipment is in good working order – label and do not use faulty machinery and equipment.
- Ensure that gas bottles are chained up and that gas fittings are properly maintained.
- In the kitchen, use the right knife for the task, cut away from the body and use correct knife sharpening and carrying techniques.
- Wear appropriate personal protective equipment such as mesh gloves or gauntlets as required.

There are other risks to workers such as heat stress, personal safety and security and sometimes a lack of emergency preparedness. Under health and safety legislation, the business is required to manage (eliminate or minimise) the risk of exposure of workers to workplace hazards. Sometimes there are costs involved but when it comes to workplace safety the regulator expects a reasonable level of commitment.

Routinely inspect or audit your workplace for hazards, risks and compliance. Have a formal process in place for this and record your actions. A hazard checklist individualised to your workplace per Annex D is recommended for this task.

***(See Annex D for a hazard checklist template)***

## Chapter 8

### **HAZARDOUS MANUAL TASKS**

It is important to note that work activities involving 'hazardous manual tasks' result in the majority of injuries that occur in the Territory hospitality industry. Accordingly, this chapter is of prime importance and should be read and understood by both management and staff. A guide can also be found at Annex E. Hazardous manual tasks should be identified in the workplace and Safe Work Procedures developed that all staff should follow (see templates at Annex I).

Hazardous manual tasks are actions like lifting, moving, pushing or pulling objects but are done with repetitive, sustained or sudden force, or whilst you're in an awkward posture. Examples of this might be lifting too many beer cartons at once, trying to lift a full beer keg on your own or even just pushing a heavy trolley with a few cartons too many on board. We've all probably had that back twinge when we haven't quite used the right technique.

You would have read earlier in this manual about what other indirect factors might be involved with these types of muscular stress injuries – many of our staff are young people and the nature of employment casual; which means an increased health and safety risk profile. High staff turnover rates are another factor – there can be a reluctance to invest in training. It's a physical job at times with a high manual labour component.

A hazardous manual task injury is one that can generally be caused in either of two ways:

- By a sudden trauma such as a direct blow to a limb or the body when you're lifting or moving something, over exerting yourself when you're lifting a load that is beyond your capabilities or using the wrong technique.
- Wear and tear over a long period of time on certain joints or body parts when you're doing the same activity repetitively – like a lower back injury caused by unloading beer cartons in a certain way, every day.

Actually, it is usually the second case in point that is the most prevalent. A well-known example is 'tennis elbow', which is in fact a repetitive strain injury that you can pick it up over time doing any sort of recurrent physical activity or work.

#### **Q. How much can I safely lift?**

A. The *Work Health and Safety (National Uniform Legislation) Regulation 2011* does not specify weight limits. This is because there are many factors that impact on the risk, not just the weight of the item handled. Instead, the legislation requires that the risk management process be followed to determine how you identify and assess a hazardous manual task.

#### **Q. What is the risk management process for a hazardous manual task?**

A. Identify the hazard, assess the risk, determine and implement control measures, and evaluate/review the process.

**Q. When I'm assessing the hazardous manual task risk, what factors should I consider?**

A. Factors that should be considered include:

- The nature of the load such as size, shape, grip, weight, stability, texture and temperature.
- How the load is handled e.g. physically lifted or moved by mechanical aids.
- The nature and layout of the work area i.e. are there work benches, furniture and fittings or other equipment used by workers that could affect their working posture?
- How work is organised, which can intensify task demands – staffing levels, hours and pace of work, rest breaks, supervision, maintenance, task variability, communication and reporting procedures.
- Individual factors such as skills and experience, physical characteristics, job satisfaction, personal protective equipment and clothing.
- How often the load is required to be moved or lifted.
- The postures, movements and forces relating to the task.

**Q. Is team-lifting an adequate control measure for hazardous manual tasks?**

A. Team-lifting is not the preferred option as it brings its own risks. Task redesign or the use of mechanical aids is preferred. However, in lieu of that yes, it's acceptable if performed correctly.

**Q. What is the best way to lift?**

A. There is no one 'best way' to lift. Any manual lifting that requires force, awkward or static postures, or is repetitive contains some risk of injury. Instead the question that should be asked is 'why are you lifting?' Task redesign and/or the use of mechanical aids which eliminate the need to lift are always preferred.

**Q. Are pre-work stretching exercises good at controlling manual task risks?**

A. Stretching does not prevent injury. The focus should be on controlling the risk by eliminating or modifying the tasks performed.

**Q. Men can lift heavier things than women. Why can't the men do all the lifting?**

A. On average, women possess about two-thirds the strength of men. Whenever workplaces advise they 'get the men to do the lifting' it is a flag that the task may be hazardous, as it requires high physical effort. The workplace should assess the task and use other methods of controlling the risk (if practicable).

**Q. How can you prevent or stop getting injured when doing this activity?**

A. There are plenty of things you can do to prevent being injured. When you think about it, a lot of this is 'common sense':

- Organise the work area to reduce bending, twisting and stretching.
- Use mechanical aids like trolleys and carts.
- Use other people to help you lift heavy things (team lift).
- Lift and carry heavy loads properly, by keeping the load close to the body and lifting with the legs – not the back.
- Don't try to lift too much – this is very common practice.
- Keep a correct posture using the natural curves of the spine.
- Take frequent breaks and rest – warm up again if you take an extended break.
- Keep fit and maintain a good weight.

## HAZARDS AND RISKS

### Stacking above shoulder height

One of the most common hazards in a hospitality venue is stacking, loading or retrieving cartons either in a cellar, cold room, storage area or bottleshop floor. Frequently, cartons are required to be stacked on shelves or on the floor for display or storage purposes. It has been a relatively common practice amongst hospitality venues to stack cartons above shoulder height. Fortunately, this practice is disappearing as business become more aware of preventative measures. Stacking cartons above shoulder height is not recommended. When reaching above shoulder height, the back is usually arched and there is some degree of unnatural bending and twisting involved, which makes the load difficult to control and increases the risk of injury.

There are ways to prevent or discourage staff from stacking over the recommended height. Paint a line or attach some tape around the storeroom or cold room wall at an average shoulder height and restrict them from stacking above it. If you have to stack above that height, perhaps to reach up to shelves, use steps or an industrial rated ladder. It is a lot better if you can transfer the heavier items to more accessible mid-level shelving so you don't have to overreach.

### Moving kegs and cartons

Cellars and cool rooms are always areas that contain potential hazards. They are frequently restricted in size and sometimes have low ceilings. This can mean there is often little room to move. Many cool rooms are wet under foot with condensation on walls and floor. Cellars are also used as storage areas, so there is an abundance of stock that can be tripped over. Lighting is also an issue in cellars and many of the floors are aged and uneven.

Kegs are generally an issue – they are heavy when full and awkward to move around. A 50 litre aluminium keg weighs in excess of 65 kilos. Never lift a full keg on your own.

Team lifts are acceptable but using a mechanical aid (trolley, keg lifter) is preferred. For moving over short distances, it is common practice to tilt the keg on an angle and roll the keg along on the bottom edge. This allows the weight to remain on the ground via the edge. It's just a matter of keeping the right balance as you roll the keg along. This is an acceptable and practical solution for moving a keg as long as you maintain control of it. Rolling a keg along on its side is really a thing of the past, unless you are using a slide in a controlled roll into a cellar.

It is standard practice for transport operators to use mechanical means to unload kegs from a delivery truck. That means that it is not often staff have to lift kegs off the back of trucks. It's a similar situation with cartons – both are generally palletised.

When using trolleys take into account:

- Make sure trolleys with tube tyres are properly inflated.
- Don't overload the trolley – it can either be too heavy to control or you can't see where you're going.
- Be careful when rolling over uneven surfaces or pushing up slopes.
- It's better to push a trolley than to pull it along.

## **Behind the bar**

Inserting or taking out glass trays from a fridge or from a glass washing machine can sometimes be difficult. It's a task that requires frequent bending and the use of your back, especially if below knee height. Dependent under the circumstances, the load can sometimes be situated away from your body as you carry out this manoeuvre. Keep the load as close to your body as possible and bend the knees, not the back. Repetitively twisting around behind you, like reaching into fridges, can also be an issue.

## **In the kitchen**

In the kitchen (as behind the bar), the risk of injury increases as loads are held further away from the core of the body. This is most evident when employees reach into display fridges, ovens or dishwashers while cleaning or accessing food or drink. Bending forward to pick up loads from a low level may also cause strains, particularly to the lower back. Review where items are stored in the pantry – ideally, the heavier items should be accessible between knee and chest height.

When working at benches or sinks for long periods of time, awkward and static postures can become hazardous especially if the working heights are not at the right level. Deep sinks can be a problem if the bench is situated too low: it means bending over the whole time. A pot or similar item could be placed in the bottom of the sink to bring the work area up a bit to lessen the bending.

Probably the best work bench height is just below elbow level. When working at benches staff should:

- Be able to stand upright in a comfortable position.
- Only need to bend their neck minimally with regular position changes and stretching are recommended.
- If practical, have work equipment and products accessible within arm's reach to avoid twisting or stretching.
- Use a foot rail or footrest to shift body weight from one leg to the other. This can help to relieve lower backache if you're standing for long periods.
- Use anti-fatigue matting which is designed to reduce pressures and strains caused by standing or sitting in one position over time.

Carrying large numbers of plates and crockery can also be risky as they can be heavy, fragile and often hot. A spring-loaded, heated plate dispenser can eliminate that risk to some extent. When carrying food on trays, one arm should be placed under the tray and the other supporting the tray. This will lessen the pressure on the wrists and hands.

Pots containing hot liquid or oil are generally heavy and risk spillage, which can cause scalding. Large chemical or detergent containers also need care as there is a risk of chemical spillage or burn hazard, in addition to potential sprain or strain injury. The use of trolleys, carts and other mechanical aids is recommended. Heavy pots should be slid onto a kitchen trolley if it's the same height as the bench – less risk of injury.

There are other ways to reduce the injury risk as well such as buying smaller containers, reduce double handling by having the load directly delivered to the kitchen, contract out functions like fryer management and oil replacement, or eliminate the need entirely by doing the task a different way e.g. commercial pot soaker instead of heavy duty pot washing.

## **Housekeeping**

**Bed making:** To prevent overreach when bed making, place one knee on the bed to obtain a more central position. Kneeling, squatting or half kneeling should be used to tuck in the sheets.

**Bed linen:** Use a linen trolley (which includes a dirty linen bag) when changing the sheets or towels. Do not overfill linen trolleys or bags – linen bags can get quite heavy especially when they're full of wet towels.

**Laundry:** When removing laundry from a front loading washing machine, put the laundry basket directly under the door and squat or kneel down to reach into it. This action reduces twisting and turning movements that can impact on the back.

Some cleaning tips to avoid injury include –

**Vacuum cleaning:** For commercial premises light backpacks are recommended as they allow the torso to bear the weight in a more natural manner and reduces the need to twist and turn as floor-based wheeled vacuum cleaners are pulled along. The body

should be kept as upright as possible (straight back) and feet positioned forward and back. Squat or kneel when vacuuming under furniture and beds.

Mopping the floor: Use a wheeled wringer bucket. This type of bucket can be pushed around the floor with a mop and the cleaner doesn't have to bend down. Likewise, when using the wringer, a foot operated or downward pressure style is easier. When filling a bucket, it's better to use a hose so the bucket doesn't have to be held whilst it is full of water. Short strokes should be used when mopping to prevent overreach and squatting or kneeling when mopping under furniture.

Sweeping the floor – it's the same as mopping under furniture; squatting or kneeling when sweeping under tables, chairs or those hard to get at areas avoids bending and twisting the back.

General cleaning – also avoid overreach when wiping or polishing tables or other flat surfaces. Move around the table instead of doing the task from one side only. Use a long handled duster instead of a ladder for cleaning areas situated above, as long as it doesn't involve twisting or leaning backwards awkwardly. Squatting or kneeling is recommended when cleaning shower cubicles or toilets.

In terms of managing risk, the simple S.A.M method is recommended:

### **Spot the hazard**

Identify the problem hazardous manual tasks which are likely to potentially cause injury.

### **Assess the risk**

In the second part of the process, look at ranking the hazards that have been identified in order of the greatest risk posed to our health and safety. Sometimes these are hazards where early action is required.

There are different ways of assessing hazards – the most common is by inspecting the workplace, examining the hazardous manual tasks, equipment and processes. This can be done by using checklists and the like.

### **Make the changes**

Once hazards have been assessed and prioritised, measures should be put in place to control them. Use what's called the 'hierarchy of controls' to help work out how to rectify the problem. The hierarchy of controls is a method that uses a number of 'fixes' in declining order of preference including:

#### Eliminate:

- Can we remove the task hazard or do away with it entirely.

#### Minimise:

- Substitute – can it be changed for something safer e.g. a large load be substituted by many smaller loads?
- Engineer or isolate – is there an engineering solution for the problem e.g. use a mechanical aid (a trolley for instance) when moving a large load?
- Administrative solution – safe operating procedures or training are always good options, to ensure staff know how to lift or move items safely.
- Personal protective equipment – what protective equipment is suitable for staff to use e.g. steel capped boots when carrying out heavy lifting tasks?

## **Trolleys, pallet jacks and carts**

Mechanical aids are used to help minimise our exposure to the risks associated with hazardous manual tasks. There are a wide variety of mechanical aids available on the market, so consideration must be made as to tasks being undertaken when selecting and purchasing equipment.

The following considerations must be made when selecting which mechanical aid to use:

- Consider the nature of the load. Is the mechanical aid suited to the task? For example, transporting four cartons of beer would normally be by a wheeled trolley. But 24 cartons of beer would be better placed by using a jack and a pallet if it was practical (one trip, room for the jack to access, staff trained on the jack).
- The mechanical aid should be as light as possible and kept close to where the work is to be done. Light equipment is easier to use and staff are more motivated to use it if it's accessible.
- Workers need to be properly trained in the use of a mechanical aid. For instance, a forklift truck should not be used without the proper training and licensing.
- Is the mechanical aid in good working order and available for use? Equipment should be well maintained. Faults should be reported as soon as they are discovered.

***(See Annex E for a hazardous manual tasks training guide)***

## Chapter 9

### **HAZARDOUS CHEMICAL HANDLING**

Most hospitality venues use hazardous chemicals in some form or another, mainly as cleaning agents – in the kitchen to clean ovens and grills, in the cellar to clean beer lines or CO<sub>2</sub> bottles used for beverage dispensing etc.

Handling hazardous chemicals can be dangerous. It's important to emphasise that this chapter should be read and understood by management and staff. Safe Work Procedures should be developed and followed (see template at Annex I).

The product label will tell you whether it's a hazardous chemical or not, and whether it contains substances that can cause harm. If it is hazardous, the supplier will provide you with a Safety Data Sheet (SDS) which details the chemical properties of the product, precautions for safe use and handling, health hazard information and recommended treatment in an emergency.

You are required to keep a hazardous chemical register in the workplace which details the chemicals used and stored in your business. Keep the SDS's with that register and another copy in the location that the chemical is used.

Business has an obligation to manage the risks associated with using, handling and storing hazardous chemicals. It is better to eliminate the risk entirely but if you can't you're obliged to reduce it. Ways of doing that include:

- Use the least hazardous chemicals for the job e.g. replace a chlorinated degreasing solvent with a detergent.
- Use protective equipment when handling hazardous chemicals.
- Separate a process from people by distance or by barriers e.g. separate the area for mixing and preparing chemicals with limited access.
- Change the way that people do the job or have procedures about how to do the job safely, like limiting the period of exposure for a worker.
- Store chemicals safely and securely when not in use.
- Do not store chemicals in food and/or drink containers and make sure they are correctly labelled.

Decanted chemicals at the workplace (spray bottles/containers) must be labelled and kept secure. Provide induction and ongoing training to staff. Your chemical supplier may have the capacity to assist with staff training.

***(See Annex F for a hazardous chemical register template)***

### **SLIPS TRIPS AND FALLS**

The nature of the industry is such that work in hospitality venues, especially back of house, can pose certain 'slip, trip and fall' risks. These risks are relatively common so it's important for all staff to read and understand the information provided here.

In hospitality environments, slips and trips commonly occur when there are liquids (water, beer or cooking oil etc) on the floor typically around bar, kitchen and refrigeration areas. There are also regular issues within hospitality venues over storage space i.e. there is never enough storage room. Consequently, cartons and other assorted flotsam are frequently found stored in corridors, aisles and other pedestrian thoroughfares creating trip hazards.

Falls can result from a slip or trip but many also occur during falls from low heights, such as steps and stairs. Slips, trips and falls result in many reported injuries every year, the most common causing muscular stress and associated cuts, bruises, fractures and dislocations.

Businesses are required to manage the health and safety risks caused by slip, trip and fall ('from one level to another') hazards in the usual manner – identify the hazard, assess the risk and eliminate or minimise it by implementing control measures.

Here are some common control measures to eliminate or minimise these risks:

#### **Slips**

- Staff should be advised to clean up any spillage in a timely fashion.
- Use a tray to collect liquid and waste or provide adequate drainage.
- Regularly maintain hoses and equipment properly to prevent leakage.
- Staff should wear non-slip style shoes in the workplace.
- Have absorbent flooring materials at entrances.
- Thoroughly dry or remove excess water from floors after cleaning.
- Cordon off wet floor areas while cleaning is in progress.
- Erect warning signs in areas with a high risk of spillage or during/after cleaning.
- Avoid sudden transitions in floor surface texture if possible.
- Replace flooring with a more slip-resistant surface.
- Apply floor treatments to increase slip resistance.
- Improve lighting.

#### **Trips**

- Ensure good housekeeping practices are maintained.
- Provide storage areas are separate to work areas.
- Provide sufficient storage systems to keep materials out of aisles and walkways.

- Provide sufficient power sockets and computer service jacks to minimise or remove the requirement for cords on the floor.
- Hang power cords over work areas rather than on the floor.
- Display visual cues, such as warning strips and signs to alert pedestrians about changed or uneven surfaces.
- Clearly mark edges of steps and any changes in floor height.
- Provide sufficient rubbish or recycling bins.
- Ensure carpet is correctly secured to the floor.
- Improve lighting.

## **Falls**

- Work as much as you can on ground level.
- Use tools with extendable handles.
- Work on even, accessible surfaces and gradients.
- Set up a ladder on a firm, stable and level surface.
- Select the most suitable ladder for the task.
- Lock all the ladder locking devices.
- Only light duty work is undertaken while on the ladder, where three points of contact can be maintained and tools can be operated safely with one hand.

***(See Annex I for a slip, trip and fall Safe Work Procedure)***

## Chapter 11

### **ASBESTOS**

Asbestos products are still in evidence throughout the community especially in buildings erected prior to around 1990, frequently in the form of asbestos sheeting or 'fibro' (fibrous asbestos cement). Asbestos is a dangerous product that needs careful management and/or removal. The rules are contained within the NT *Work Health and Safety (National Uniform Legislation) Regulations 2011* applicable to asbestos products.

In addition to fibro sheeting, asbestos was also used in corrugated roofing, pipes, thermal insulation and fire proofing. It was an additive in paints and sealants, in textiles such as felt, vinyl floor tiles, gaskets, and in friction products like brake linings and clutches.

During the peak building years of the 50's, 60's and 70's asbestos found its way into most public buildings, including hospitals, schools, libraries, office blocks and factories. As a result, asbestos is still around and will be for some time to come.

Asbestos poses a risk if the fibres (of a respirable size) become airborne, are inhaled and reach deep into the lungs in sufficient quantities. These respirable fibres can cause serious asbestos-related diseases that can take decades to become apparent. Asbestos can cause lung cancer, Asbestosis and Mesothelioma.

Under the law, asbestos-containing materials are divided into two types:

- Bonded asbestos contains a bonding compound reinforced with asbestos fibres, like cement sheeting for example.
- Friable asbestos is asbestos-containing material that, when dry, is or may become crumbled or reduced to powder by hand pressure, like sprayed-on fireproofing or thermal insulation. It is particularly dangerous.

Current scientific and medical evidence supports the fact that simply living or working in a building containing asbestos is not dangerous, as long as the asbestos is in good condition. The asbestos preferably needs to be sealed in by paint or another product. Isolating the asbestos by cladding is also a viable option. Power tools such as an electric sander or drill should not be used on asbestos – nor should a water-blaster be used to clean it. Sugar soap is the recommended process.

If bonded asbestos is being removed from a workplace the rules are as follows:

- In excess of 10m<sup>2</sup> of bonded asbestos can only be removed by the holder of a bonded asbestos removal licence.

A person who removes less than 10 m<sup>2</sup> of bonded asbestos material does not require a licence. However, that person must possess adequate qualifications, such as suitable training and sufficient knowledge, experience and skill for the safe performance of the work.

Sampling is the only way asbestos can be properly identified. This should only be done by a competent person, and analysed in accredited laboratories. Where asbestos is suspected but not tested, it is 'assumed' by law – taken to be identified as asbestos.

Under the legislation there is a legal responsibility for the owner of a workplace built prior to 1 January 2004 to ensure that, as far as practicable, all asbestos containing materials in the workplace are identified, assessed and subsequently documented in an asbestos register. It is important to note, for buildings that are workplaces built before 1 January 2004, where no asbestos is identified or present (based on reasonable grounds) – the register must reflect this.

An asbestos management plan should be developed if asbestos is found and the asbestos product clearly marked (labels are acceptable). The asbestos management plan must include:

- The identification of the asbestos e.g. a reference or link to the asbestos register and location of signs and labels.
- Decisions and reasons about management of asbestos such as Safe Work Procedures and control measures.

A Safe Work Procedure is a written procedure that outlines a safe method of carrying out a task. They should be individualised to suit the workplace circumstances and discussed with relevant staff. Make sure workers understand and follow these procedures (***see Annex I for Safe Work Procedure templates***)

- Procedures for dealing with accidents, incidents or emergencies in relation to asbestos.
- Workers carrying out work involving asbestos e.g. consultation, information and training responsibilities.

The plan must be readily accessible to workers and others at the workplace, kept up to date, and reviewed at least once every five years.

***(See Annex G for an asbestos register template)***

## Chapter 12

# ***ELECTRICAL HAZARDS AND RISKS***

### **Electrical hazards**

The main hazards associated with electrical risks are:

- Contact with exposed live parts which causes electric shock and burns e.g. coming into contact with exposed leads.
- Faults which could cause fires – especially with older premises that may not have Residual Current Devices (RCDs or safety switches) installed on their circuits.
- Fire or explosion where electricity could be the source of ignition in a potentially flammable atmosphere e.g. gas leak in a kitchen.

Some items of equipment can also involve greater risk than others. Portable electrical equipment is particularly liable to damage especially to plugs and sockets, electrical connections and to the cable itself. Extension leads, particularly those connected to equipment which is frequently moved, can suffer from similar problems.

There are always risks surrounding moisture and electricity. For instance, many hospitality venues would have electrical power sockets and equipment leads located under or around the bar counter or situated where liquids are found (sinks, beer or post-mix taps, condensation etc). There are wet floors frequently found behind bars or back-of-house in hospitality venues with electrical or extension leads lying in them. So the risks in our venues are commonly there.

### **Electrical protection**

The best way to provide protection against electric shocks and other risks is to eliminate or minimise the risk by:

- Not running leads across pedestrian walkways, or through doorways and over sharp edges.
- Use cable protection ramps or covers to protect cables and cords, where applicable.
- Regularly inspect, test and tag electrical cords and mobile equipment.
- Use waterproof covers to protect electrical sockets from moisture.
  
- Install RCDs (safety switches) on all electrical circuits.
- Use licensed electricians or 'competent persons' for all electrical work/ testing and tagging.
- Provide enough socket outlets—overloading socket outlets by using adaptors can cause fires.
- Ensuring RCDs are effective by regular testing.
- Undertake a routine maintenance program.

### **Compliance**

RCDs are required on all electrical circuits situated operating in a 'hostile operating environments.' A hostile operating environment is a term used to describe an environment where electrical equipment is exposed to operating conditions that are

likely to result in damage to the equipment or a reduction in its expected life span. This includes conditions that involve exposing the electrical equipment to moisture, heat, vibration, mechanical damage, corrosive chemicals and dust. Examples include wet or dusty areas, outdoors, workplaces that use corrosive substances, commercial kitchens, and manufacturing environments.

RCDs are also required where it is likely damage could be caused to the equipment or electrical supply cord when moved, or if the equipment is frequently moved during its use.

The inspection, testing and tagging of 'plug-in' electrical equipment is also required in 'hostile operating environments.' Regular testing can detect electrical faults and deterioration that cannot be detected by visual inspection. As a general rule, electrical equipment used in hostile operating environments should be inspected and tested at least once every 12 months.

There is no mandated inspection, testing or tagging for electrical equipment used in lower-risk operating environments.

Where provided for use in a workplace, RCDs must be fit for their purpose, maintained so as to be effective and tested regularly. A record of testing must be kept until the RCD is next tested or disposed of.

## Chapter 13

### **NOISE**

Sound levels in terms of entertainment in hospitality venues have become increasingly louder due to more sophisticated and powerful amplifying systems. There is a requirement to ensure that employees who work in areas where noise can be hazardous to eliminate or mitigate these effects.

Decibel (dB) is the unit for measuring sound levels under health and safety legislation. There are two parts to the exposure standard for noise because noise can either cause gradual hearing loss over a period of time or be so loud that it causes immediate hearing loss.

The exposure standard is 85 dB(A) averaged over eight hours, and whether it's exceeded or not depends on the level of noise involved and how long workers are exposed to it.

Peak noise levels greater than 140 dB(C) usually occur with impact or explosive noise such as sledge-hammering or a gun shot. Any exposure above this peak can create almost instant damage to hearing (acoustic trauma).

Typical sound level surveys conducted in hospitality venues found average sound exposure levels from pre-recorded or amplified live music in the range of mid 90 - 100dB. Peak sound levels were also measured in excess of 140dB(C). Often with sound levels of this magnitude the base sounds are enhanced and cause a vibratory or thumping sensation in the chest.

With extended hours, workers and others (for example, licensees, managers, security guards etc) are working in these environments for longer periods of time. They can sometimes be exposed more often and for longer periods than patrons, to loud music. The degree of hearing loss that occurs is dependent on how loud the noise is, how long someone is exposed to it and, to some extent, individual susceptibility. The frequency or pitch can also have some effect on hearing loss, since high-pitched sounds are more damaging than low-pitched ones.

What should be done about it? Hazardous noise can destroy the ability to hear clearly. Managing the risks related to noise will assist in:

- Protecting workers from hearing loss and disabling tinnitus (ringing in the ears or head). When severe, it may disrupt sleep, reduce concentration, make people extremely irritable and lead to depression.
- Improving the conditions for communication and hearing warning sounds.
- Creating a less stressful and more productive work environment.

A business has specific obligations under the Regulations to manage the risks of hearing loss associated with noise at the workplace, including:

- Ensuring that the noise a worker is exposed to at the workplace does not exceed the exposure standard for noise.
- Providing audiometric testing to a worker who is frequently required to use personal hearing protectors to protect the worker from hearing loss associated with noise that exceeds the exposure standard.

## Noise Control Measures

As with all risk exposures in the workplace, risk management must be applied through the hierarchy of control measures, i.e. elimination, substitution, engineering and/or administrative controls, and as a last resort or as an interim measure, reliance on protective equipment (ear plugs).

The control of music entertainment noise should, wherever possible, be done through engineering and/or administrative noise control measures.

Some examples of engineering noise control measures for loud music include:

- Turn down the sound volume.
- Installing a sound limiter or compressor in the amplified sound system to ensure that the music volume does not exceed a pre-set limit. Sound limiters work on the principle that a warning is given when a pre-set level is being reached. If the warning is ignored the limiter cuts out the music.
- Installing a sound ceiling above the dance floor. A sound ceiling consists of a structure suspended from the building ceiling with acoustic tiles and directional speakers mounted in it that reduces the dB level at ground level.
- Enclosing or partitioning off the DJ booth and bar area with glass or perspex to ensure the sound levels inside these areas are within the prescribed limits.

Examples of administrative noise control measures include:

- Rotating staff to limit their exposure to loud music by assigning them duties in quieter areas.
- Specifying a maximum noise level in contracts with live bands, which must not be exceeded.

Where noise control cannot be achieved through these measures an employer should provide suitable personal protective equipment (hearing protection) and proper instruction in their use.

### Examples of Noise Level

Sound (dB)	Sound source
140	Jet engine at 30m
130	Rivet hammer
120	Rock drill
110	Chain saw
100	Sheet-metal workshop
90	Lawn-mower

85	Front-end loader
80	Heavy traffic from the footpath
80	Lathe
70	Loud conversation
60	Normal conversation
40	Quiet radio music
30	Whispering
0	Hearing threshold

In terms of industrial noise, regular maintenance of mechanical plant and equipment is essential as it can deteriorate with age and become noisier. Check for changes in noise levels – badly worn bearings and gears, poor lubrication, blunt blades, loose parts, unbalanced rotating parts and steam or air leaks all create noise that can be reduced with good maintenance. Engineering controls such as vibration mountings, impact absorbers, gaskets, seals, silencers, barriers and other equipment should be regularly inspected and maintained.

### **REPORTING SAFETY – NOTIFIABLE INCIDENTS**

When one of your workers gets injured at work, you may have obligations in terms of either (or both) worker's compensation and incident reporting, dependent upon the seriousness of the injury or matter.

By law, you are required to report certain work-related injuries, illnesses or dangerous incidents to NT WorkSafe. They are called notifiable incidents. The reporting criteria has changed from the previous legislation – described formerly as 'a work related accident/incident where there has been a death or serious injury or there was a potential for this to occur.'

The *Work Health and Safety (National Uniform Legislation) Act 2011* requires a person conducting a business, which would include a hospitality venue, to report to the regulator any notifiable incidents that arise out of the conduct of the business. The primary purpose of incident notification is to allow causes of incidents to be identified, to prevent similar events occurring in the workplace. The regulator also investigates to determine potential contraventions of the Act.

Minimum reporting obligations relating to notifiable incidents are as follows:

- Death of a person. This is self-explanatory and is inclusive of whether the incident occurred during travel to or from work.
- Serious injury or illness. The criteria for this is when a person has:
  - Immediate treatment as an in-patient in a hospital\*.
  - Immediate treatment for a serious injury or illness such as a serious head injury, a serious burn or a spinal injury and a number of other serious injuries listed in the Act.
  - Medical treatment within 48 hours of exposure to a substance.
- Dangerous incident. This is an incident in a workplace that exposes a worker or any other person to a serious risk to their health or safety emanating from immediate or imminent risks. These risks include an uncontrolled escape, spillage or leakage of a substance, an electric shock, a fall from a height or the collapse of a structure.

\*Note: For our purposes, 'immediate treatment as an in-patient in a hospital' (not out-patient care) will probably be the most common reporting requirement.

In the event of a notifiable incident, it is the responsibility of the person with management or control of the workplace (i.e. owner, licensee or manager) to ensure that the site is not disturbed until an inspector arrives or otherwise directs, if the incident is of a very serious nature.

Immediately after a notifiable incident has taken place, the business must notify the regulator by telephone or in writing, by fax or email, whichever is faster. The notification must provide the information required by the regulator. If telephone

notification is made, the regulator may request written notice to be provided within 48 hours. Records must be kept for at least five years after the event.

Notification can be completed by:

- Calling 1800 019 115, or
- Filling out the [Incident Notification Form](#), and
- Faxing it to 8999 5141, or
- Emailing it to [ntworksafe@nt.gov.au](mailto:ntworksafe@nt.gov.au)

A copy of an Incident Notification Form is available on the NT WorkSafe website: [www.worksafe.nt.gov.au/Forms/Notifications/FM137.pdf](http://www.worksafe.nt.gov.au/Forms/Notifications/FM137.pdf)

When reporting notifiable incidents, NT WorkSafe will expect you to conduct an initial investigation as to how and why the incident has occurred. It is incumbent upon you to develop practices or procedures to rectify a systemic problem, or indeed any necessary short term measures to prevent a recurrence.

If a worker seeks to make a worker's compensation claim due to a work related injury, the employer should provide that staff member with a worker's compensation form for completion. The form then should be forwarded to NT WorkSafe within three working days of receiving it from the worker. Further obligations come into practice if the insurer accepts the claim.

***(See Annex H for a copy of an NT WorkSafe Incident Notification form)***

## Chapter 15

### ***NT WORKSAFE – THE REGULATOR***

NT WorkSafe is responsible for the Territory-wide regulation of workplace health and safety, dangerous goods, electrical safety, and rehabilitation and workers' compensation.

Their brief includes:

- Setting safety standards for businesses and workers to meet their obligations.
- Explaining and interpreting workplace health and safety laws and standards.
- Providing businesses and workers with guidance materials.
- Helping businesses and workers meet their responsibilities through workplace visits, advice, audits and inspections.

NT WorkSafe is both proactive and reactive in terms of preventing health and safety breaches in the Territory and enforcing the laws as required. In higher risk industries such as construction and manufacturing, workplace health and safety inspectors are a relative constant; however, they are not often seen in hospitality venues due to the lower risk profile. That said; inspectors do undertake audit campaigns from time to time that target various industry groups or follow up complaints about a health and safety issue at a particular venue.

If workplace health and safety laws are broken or there is an immediate risk to health and safety, an inspector will take action to enforce the law generally by issuing:

- Improvement notices – written directions requiring a person to remedy a contravention of the law within a specified time.
- Prohibition notices – written directions prohibiting any activity that will, or is likely to, involve an immediate risk to the health and safety of any person.

Inspectors will make enquiries, as appropriate, with the persons responsible for providing a safe workplace e.g. the business owner, licensee or manager, and other relevant parties.

An inspector may recommend a comprehensive investigation by NT WorkSafe to determine whether the contravention of the laws warrants prosecution or other punitive action. This generally occurs only in serious circumstances, usually involving the injury or death of a worker. It is very rare for a hospitality venue to be prosecuted under these laws.

Inspectors have considerable legal powers to enter premises (if deemed a workplace) and search and seize evidence if offences are suspected. In the normal course of events, a visit by an inspector who intends to audit your venue will not entail the use of such powers. They may contact you beforehand and make an appointment to visit, or may just arrive at your venue unannounced.

The regulator focuses a lot on education and offering practical solutions rather than just enforcement or punitive measures. If there are minor breaches of the law the

inspector may just provide advice on how to take corrective action. Don't be surprised if you receive a number of improvement notices – this is commonplace and you're given an appropriate period of time to rectify any issues. If an inspector calls, co-operate with that person, listen to any advice they may give and follow any instructions, whether written (in the form of a notice) or verbal.

Any decision taken by NT WorkSafe inspectors which affects your business is reviewable. If you are dissatisfied by any of their determinations, there is an avenue to seek an internal review of that decision by a more senior inspectorate member. Additionally, there is also the ability to apply to the Work Health Court for an external review of NT WorkSafe decisions.

In terms of prosecution, three categories of penalties apply to breaches of the work health and safety duties:

**Category 1** – for reckless conduct that exposes an individual to a risk of death or serious injury or illness and is engaged in without reasonable excuse.

**Category 2** – failure to comply with a health and safety duty and exposing an individual to a risk of death or serious injury or illness.

**Category 3** – failure to comply with a health and safety duty.

Maximum penalties are set according to the category of offence committed and the type of duty holder e.g. individual, officer or body corporate convicted of the offence. The size of the penalty for each type of duty holder has significantly increased from existing provisions and is now:

### **Category 1**

Corporations: \$3m

Individuals as a business or officer of a business (including officer of an unincorporated association): \$600,000 or 5 years jail

Other individuals (including member of an unincorporated association): \$300,000 or 5 years jail

### **Category 2**

Corporations: \$1.5m

Individuals as a business or officer of a business (including officer of an unincorporated association): \$300,000

Other individuals (including member of an unincorporated association): \$150,000

### **Category 3**

Corporations: \$500,000

Individuals as a business or officer of a business (including officer of an unincorporated association): \$100,000

Other individuals (including member of an unincorporated association): \$50,000

### **HEALTH & SAFETY REPRESENTATIVES**

The [Work Health and Safety \(National Uniform Legislation\) Act 2011](#) creates a right for workers to be formally represented on health and safety matters and recognises the role Health and Safety Representatives (HSRs) play in the consultative process.

HSRs can make a difference in having safety issues addressed and can help the employer achieve improved health and safety outcomes. These elected positions are generally more applicable (although not restricted) to larger venues e.g. accommodation hotels – as part of a health and safety committee etc.

#### **Role of the HSR**

The role of a HSR is to represent the workers who elected them on health and safety matters to their employer.

Approved training is available for HSRs to assist and support them in performing this representative role. There is a five-day training course that's been developed for official HSRs paid for by the employer. An HSR still performs the job they are employed to do but in addition to this they undertake the representative role on behalf of their workmates.

HSRs are not compulsory in a business. They are only compulsory if the workers elect to have this type of representation.

A business can also choose to have HSRs on their own initiative by calling for volunteers to stand for election to carry out the functions as described in the Act, or informally. The latter is where a worker can be appointed to, or volunteer to be part of the health and safety committee, but not be an official HSR. This is commonplace – they can still be called HSRs but don't have the legislative powers nor the entitlement to training.

It is not the HSR's role to be responsible for health and safety at the workplace. The primary responsibility for providing and maintaining a safe and healthy workplace rests with the employer.

In addition to representing the workers, an HSR may also:

- Monitor the health and safety compliance of the business.
- Investigate complaints from work group members about work health and safety matters.
- Inquire into anything arising from the conduct of the business that appears to be a risk to the health or safety of work group members.
- Inspect the workplace at which work group members work.
- Accompany an inspector during an inspection of the workplace at which a work group member works.

- If they have completed the required training, direct a work group member to cease unsafe work and issue a Provisional Improvement Notice (PIN).

## Chapter 17

### **HEALTH & SAFETY COMMITTEES**

Under the NT *Work Health and Safety (National Uniform Legislation) Act 2011* a Health and Safety Committee (HSC) brings together workers and management to assist in the development and review of health and safety policies and procedures for the workplace. An HSC is a useful forum for consultation on work health and safety issues.

HSCs are usually found in the accommodation hotel sector or in larger venues. Generally, an HSC is set up on the venue's own initiative as a proactive way to address and manage health and safety issues in the workplace. It's also a good opportunity for the various departments, sections and staff to take some ownership of workplace activities.

Although establishing an HSC can be voluntary, it is compulsory if requested by an official Health and Safety Representative (HSR) or five or more workers.

#### **Functions of a HSC**

The functions of an official HSC are broad ranging:

- To facilitate cooperation between the business and workers in instigating, developing and carrying out measures designed to ensure the workers' health and safety at work.
- To assist in developing standards, rules and procedures relating to health and safety that are to be followed or complied with at the workplace.
- Any functions prescribed by regulations or agreed to between the business and the HSC.

An informal HSC can function as per the abovementioned, or anything else, as it sees fit.

#### **Who can be a Health and Safety Committee member?**

The Act prescribes at least half of the members of an official (worker requested) HSC must be workers who are not nominated by the business. If there is an HSR at the workplace, they may choose to be a member.

If the HSC is an informal arrangement then it is the decision of the business on who is a member or not – sometimes it can be difficult to get volunteers to sit on these committees.

HSC members are entitled to:

- Spend reasonably necessary paid work time attending meetings and carrying out their functions as committee members.
- Have access to information that the business has in relation to hazards, risk assessments and the health and safety of workers at the workplace.

## **Meetings of HSC**

An official HSC must meet at any reasonable time at the request of at least half of its members and at least once every three months. An informal HSC can meet whenever it sees fit.

### **EMERGENCY PLANS**

Under the *Work Health and Safety (National Uniform Legislation) Act 2011* businesses are required to prepare an emergency plan for the workplace that covers emergency response and evacuation, and other relevant matters. This includes businesses that operate at multiple sites e.g. a detached bottleshops.

#### **What is an emergency plan under the Act?**

An emergency plan is a written set of instructions that outlines what workers and others at the workplace should do in the event of an emergency. An emergency plan must provide for the following:

- Emergency procedures, including: an effective response to an emergency.
- Evacuation procedures.
- Notifying emergency service organisations at the earliest opportunity.
- Medical treatment and assistance.
- Effective communication between the person authorised to coordinate the emergency response and all people at the workplace e.g. Chief Warden.
- Testing of the emergency procedures—including the frequency of testing.
- Information, training and instruction to relevant workers in relation to implementing the emergency procedures.

#### **What types of emergencies should be covered?**

The types of emergencies to plan for could include fire, explosion, medical emergency, rescues and incidents with hazardous chemicals, bomb threats, armed confrontations (robbery) and natural disasters.

The emergency plan should be based on a practical assessment of hazards associated with the work activity or workplace, and the possible consequences of an emergency occurring as a result of those hazards. External hazards should also be considered in preparing an emergency plan.

#### **Level of detail—relevant factors to be considered**

Emergency plans do not necessarily have to be lengthy or complex. They should be easy to understand and tailored to the specific workplace where they apply.

In preparing an emergency plan, all relevant matters need to be considered including:

- The nature of the work being carried out at the workplace.
- The nature of the hazards at the workplace e.g. gas bottles or supply, carbon dioxide, hazardous chemicals, cash handling, potential occupational violence, late night work etc.

- The size and location of the workplace, for example, remoteness, proximity to health services.
- The number and composition of the workers, for example, employees, contractors, and other persons at the workplace such as visitors.

### **Examples of inclusions in an emergency plan**

An emergency plan may include practical information for workers such as:

- Emergency contact details for key personnel who have specific roles or responsibilities under the emergency plan, for example fire wardens, floor wardens and trained first aiders.
- Contact details for local emergency services, for example police, fire brigade and poison information centre.
- A description of the mechanisms for alerting people at the workplace to an emergency or possible emergency, for example siren or bell alarm.
- Evacuation procedures including arrangements for assisting any hearing, vision or mobility-impaired people.
- A map of the workplace illustrating the location of fire protection equipment, emergency exits, assembly points.
- Post-incident follow-up process e.g. notifying the regulator, organising trauma counselling or medical treatment.
- Procedures for testing the emergency plan including the frequency of testing.

### **Access to the emergency plan**

Emergency plans, or a summary of key elements of emergency plans, should be readily accessible by workers or on display in the workplace, for example on a notice board.

### **Training in emergency procedures**

Workers must be adequately trained in emergency procedures. Arrangements for information, training and instruction of workers must be set out in the emergency plan itself. Training may include practicing evacuations, identifying assembly points, location of emergency equipment, first aid arrangements and how to safely shut down machinery. Staff should be trained in how to use fire fighting equipment.

### **Reviewing emergency plans**

For emergency plans to remain current and effective they must be reviewed and revised (if necessary) on a regular basis.

## Chapter 19

### ***RIGHT OF ENTRY***

The NT *Work Health and Safety (National Uniform Legislation) Act 2011* provides authorised union officials with a right of entry, for specific reasons, to workplaces. These are workplaces where their members work, or where there are persons who are eligible to be a members of their union work, which the permit holder represents or is entitled to represent.

#### **When must notice of entry be provided?**

A work health and safety entry permit holder is not required to give prior notice when entering a workplace to enquire into a suspected contravention of the Act, but as soon as reasonably practicable after the event.

The safety entry permit holder can only enter the premises if they actually suspect a contravention.

A work health and safety entry permit holder is required to give 24 hours' notice to the business, and the person from whom documents or records are sought if they are entering a workplace to inspect or take copies of:

- Employee records that are directly relevant to a suspected contravention of the Act.
- Records or documents that are directly relevant to a suspected contravention of the Act that are not held by the business.

- 

#### **Entry to consult with and advise workers**

A work health and safety entry permit holder is required to give at least 24 hours' notice to the business before entering a workplace to consult on work health and safety matters and provide advice on those matters to 'relevant' workers.

#### **Entry to enquire into a suspected contravention**

When exercising a right of entry to inquire into a suspected contravention of the Act, the authorised union official can:

- Inspect any work system, plant, substance, structure, or anything relevant to the suspected contravention.
- Consult with the relevant workers and the person running the business in relation to the suspected contravention.
- Inspect and make copies of any record or document that is directly relevant to the suspected contravention (including computer records).

#### **Entry to consult and advise workers**

The authorised union official may exercise a right of entry to consult and advise workers at any time during the usual working hours of the workplace – it's not restricted to meal breaks.

## **How are right of entry disputes dealt with?**

An inspector may attend a workplace to assist in resolving a dispute at the 'factory gate'. However, an inspector is not empowered to make any determination about the dispute.

## **Prohibited conduct in relation to right of entry**

Similar to the Fair Work Act, the Act outlines what actions and conduct that are prohibited including:

- There cannot be an unreasonable delay in allowing access or entry.
- It is illegal to obstruct an authorised union official exercising their powers under the Act.
- The authorised union official is not allowed to obstruct, hinder or disrupt any person or workers at the workplace.

### **TOBACCO LAWS**

All enclosed areas of licensed premises in the Northern Territory are smoke free under the *Tobacco Control Act/Regulations*. Outdoor drinking and eating areas are also deemed smoke free with the exception of those that have a full liquor license. These premises are permitted to designate up to 50% of their total outdoor eating and drinking areas as an Outdoor Smoking Area (OSA).

The requirements for an OSA include:

- It must be clearly delineated from other areas and identified as a smoking area.
- The OSA must have buffers along the perimeter where it adjoins other parts of the premises.
- Entertainment (for example live performances, gaming machines or pool tables) cannot be provided in the OSA.
- The OSA cannot be of greater amenity than other outdoor areas on the licensed premises.
- Staff service is not available from staff in, or to patrons in, the OSA (except to clear glasses, empty ash trays etc).
- The licensee must maintain a Smoking Management Plan.
- Note – Food can be consumed in the OSA.

Delineation from other areas can either be in the form of a clearly marked two metre wide buffer or an impervious barrier (such as a wall or screen) up to 2.1 metres high. Where a two metre wide buffer is used, patrons may use the area for the consumption of drink and food, however all non-essential staff service is prohibited in the area and it must be smoke free.

If furnishings (e.g. tables and/or seating) are located in a two metre wide buffer, clear no smoking signage must be visible to patrons. If no furnishings are provided in the buffer area, signage will not be required to be displayed, however all buffer areas must be clearly delineated.

Television screens, speakers and other electronic devices may be located in the Outdoor Smoking Area as long as staff members are not required to be in there to operate them.

Amenity refers to the look and feel of an area, and is based on its location, function and the facilities it contains. When establishing an OSA a premises should ensure that the smoke free areas are of at least equal or greater amenity than the OSA.

A licensee of liquor licensed premises who has designated, or proposes to designate, an area to be an OSA may apply to the Department of Health for the issue of a certificate for all or part of the OSA.

A Smoking Management Plan records the actions of a premise to ensure compliance with an OSA, and must be made available for inspection by patrons and Authorised Officers under the Act.

A Smoking Management Plan must:

- Identify the outdoor eating and drinking areas.
- Identify the outdoor smoking areas.
- Identify the buffers for the outdoor smoking areas.
- State how the licensee will minimise the exposure of staff and patrons to environmental tobacco smoke.
- Describe the training/instruction given to staff to ensure the Act and the plan are complied with.
- Provide for signage that clearly identifies where smoking is or is not allowed.

Tobacco retail sales – licensed venues may have one over-the-counter point of sale and one vending machine in each bar area of the premises. A health warning must be displayed at point of sale, including vending machines.

A price board or shelf tickets may be displayed, not both. A tobacco retail licensee must ensure that tobacco products including packets, cartons, single cigars and loose tobacco cannot be seen by the public and cannot be seen from inside or outside any retail outlet.

An annual license fee is now applicable for over-the-counter tobacco retailers.

Fact sheets, forms, Smoking Management Plans and further information are available at [AHA-NT](#) (go to Industry Information).

***(See Annexes J and K for Smoking Management Plans – form and example)***

## Chapter 21

### **FUEL SAFETY**

Working with fuel is a daily occurrence for AHA-NT members located in regional areas. Unleaded petrol, diesel fuel and associated oils/solvents are all flammable or combustible liquids. Fuel is also classified as a hazardous chemical and there are dangers in terms of its vapour, contact with the skin or by ingestion. Exposure to benzene has been associated with a range of acute and long-term adverse health effects and diseases.

Modern service stations operate under strict safety guidelines. The following information and general safety advice is geared towards the Wayside Inn, Highway Inn, Hotel Motel and Roadhouse type of operation, where petroleum/diesel products are dispensed as part of a diverse range of services.

There are a number of safety risks attached to storing and dispensing fuel including:

- Spills during filling of the underground/above ground tanks or fuel dispensing to customers.
- Uncontrolled ignition sources.
- Damage to the bowser(s) by vehicle impact.

Some control measures recommended for modern service stations may not be practicable for your type of operation. The circumstances of each site should be considered when determining safety measures. NT WorkSafe recommend the following safety controls:

#### **Smoking**

- No smoking or any other ignition sources are allowed within 3m of any point where flammable liquid might be exposed, particularly when receiving or dispensing fuel.
- Clearly identify an exclusion zone using demarcation lines and safety signs.

#### **Signage**

- Signage 'STOP ENGINE – NO SMOKING' with lettering at least 50mm high should be posted near fuel dispensers.
- The international symbol for 'smoking prohibited' may be used in lieu of above and the words 'no flames, pilot lights or mobile phones' may also be used.
- Keep the designated exclusion zone free of combustible matter such as paper, cardboard and litter bins.

#### **Emergency**

- A clearly identified Emergency Stop Button for all dispensers should be provided in a remote location from the dispensers and easily accessible.
- There needs to be at least two powder-type fire extinguishers located in the pump area.
- Provide training to responsible persons covering safe work procedures and emergency actions and document this activity.

- Develop and document safe work procedures, clearly define emergency actions and ensure appropriate resources and equipment are readily available in an emergency.
- Emergency clean-up equipment is available in case of spillage.

### **Dispensers**

- The dispensers (and any above-ground storage tanks) need to be protected from vehicle accident damage e.g. bollards.
- Prevent unauthorised access by providing lockable dispensers.

### **Containers**

- Flammable liquids are not to be filled from a fuel dispenser into a container unless:
  - The capacity of the container is not greater than 25 litres.
  - The container complies with AS/NZS 2906 or equivalent Standard.
  - The container is an approved portable fuel tank for a boat.

### **Records**

- Maintenance records are kept for the facility – an inventory of liquids received, stored and dispensed is maintained and current.
- A register with the Safety Data Sheet (SDS) for each fuel product.

### **Self-Service**

- A provision to prevent the start of each dispensing operation until switched on from the operator console.
- A provision to stop any dispenser from the operator console.
- All dispensers are visible to the attendant by direct vision or by means of mirrors, or other suitable means.
- A communication system allowing the operator to speak with the customer.

### **Storage Tanks**

- Make sure that fuels are delivered into the correct tank.
- Check the levels in the tank to determine quantity needed before receiving a commercial delivery.
- Daily tank dips and stock reconciliation to monitor for leaks.
- Check the area around the vents of the receiving tanks for possible ignition sources.
- Observe the vents during delivery for proper operation – stop delivery if fuel is being ejected.
- Have the driver stay near the truck flow valve while the fuel is flowing into the storage tank in case of the need for an emergency shut-off.
- Open the tank caps only during filling and gauging to minimise the release of fuel vapours.

### **Autogas (LPG)**

- LPG is colourless and has a distinctive smell so that leaks can be easily detected.
- Avoid direct contact with LPG which can cause cold burns.
- Dispenser notices, signs and filling instructions are posted.

- Have an LPG remote shut down system:
  - Within 10m from the tank filling point.
  - For self-service sites, at a point easily accessible and visible from the operator console.
  - Shut down system is of a failsafe design with a maximum time limit for complete cut off of 12 seconds.
  - System tests are conducted, recorded and retained on site as per the site safety management system

An NT WorkSafe service station checklist for fuel dispensing is located [here](#).

Fuel suppliers and local distributors may be able to provide technical assistance regarding their products, including the provision of Safety Data Sheets.

***(See Annex L for a NT WorkSafe service station safety checklist)***

**Chapter 22**

## **MISCELLANEOUS**

### **Heat**

Heat stress is best described as excessive exposure to heat that may lead to a number of heat conditions ranging from mild conditions, such as prickly heat to more life threatening ones, like heat stroke. People suffer from heat stress when the body absorbs more heat than it can dispel. All parts of the Northern Territory can experience temperatures in excess of 30C. In the Top End during the wet season, this is combined with high levels of humidity and in Central Australia, temperatures may exceed 40C.

Heat illness occurs when the body cannot sufficiently cool itself. In addition to temperature and humidity, factors that contribute to this include the amount of air movement, radiant temperature of your surroundings, clothing worn and physical activity (metabolic heat load).

Heat illness covers a range of medical conditions including heat stroke – a life threatening condition that requires immediate first aid and medical attention, fainting, heat exhaustion and cramps, prickly heat and fatigue. Signs and symptoms of heat illness include feeling sick, nauseous, dizzy or weak, and in more serious cases collapse and convulsions. Workers with these signs or symptoms need to seek or be given immediate medical attention.

The risk can also be minimised by modifying workload by rescheduling work so the hot tasks are performed during the cooler part of the day, doing the work at a different location if practicable, wearing light clothing that still provides adequate protection (and wide-brimmed hats, sunscreen etc), job rotation, providing extra rest breaks in a cool area and providing cool drinking water.

For internal work, apart from fans and air conditioning, install shields or barriers to reduce radiant heat, remove heated air or steam by using exhaust ventilation, and locate hot processes away from people or insulate/enclose them.

### **Fatigue**

Fatigue is more than feeling tired and drowsy. In a work context, fatigue is a state of mental and/or physical exhaustion which reduces a person's ability to perform work safely and effectively. It can occur because of prolonged mental or physical activity, sleep loss and/or disruption of the internal body clock.

Fatigue can be caused by factors which may be work related, non-work related or a combination of both and can accumulate over time. It can adversely affect safety at the workplace. Fatigue reduces alertness which may lead to errors and an increase in incidents and injuries.

The following signs or symptoms may indicate a worker is fatigued:

- Excessive yawning or falling asleep at work.
- Short term memory problems and an inability to concentrate.
- Noticeably reduced capacity to engage in effective interpersonal communication.
- Impaired decision-making and judgment.
- Reduced hand-eye coordination or slow reflexes.
- Other changes in behaviour, for example repeatedly arriving late for work.
- Increased rates of unplanned absence.

Measures to manage the risks associated with fatigue will vary from one workplace to the next, depending on the nature of the work, environmental conditions and individual factors. The risks associated with fatigue can be managed by following a systematic process which identifies the factors which may cause fatigue in the workplace, assesses and controls the risk.

Work schedules which limit the time workers can physically and mentally recover from work may cause fatigue, for example early shift start times or late finishes, short breaks between shifts, shifts lengthened by overtime or double shifts and not enough non-sleep rest breaks during a shift.

Some types of work, for example concentrating for extended periods of time, performing repetitious or monotonous work and performing work requiring continued physical effort can increase the risk of fatigue.

While tired muscles can recover with rest, the brain can only recover with sleep. When individuals get less sleep than they need in a day, they build up a sleep debt which accumulates until they can get enough sleep to overcome the sleep debt. It may take several days before a person recovers from a sleep debt.

Factors occurring outside of work may also contribute to fatigue. A worker's lifestyle, family responsibilities, health e.g. insomnia, sleep apnoea, some medication, other work commitments, and extended travel between work and home may all increase the risk of fatigue.

Factors contributing to the risk of fatigue are often inter-related. Incorporating a combination of control measures into general workplace systems, as well as control measures specific to the work, can help to minimise more than one contributor to fatigue. For example, increasing the amount of time between shifts and adjusting shift starting times may improve the opportunity for sleep.

## **Forklift Safety**

Many members operate forklifts in and around their premises. They can be one of the most dangerous pieces of equipment in the workplace and pose a risk to the safety of both workers and pedestrians.

To safely and legally operate a forklift truck in the Northern Territory you must be competent and licenced to operate that vehicle, and follow safe operating procedures in the workplace. A high risk work license (LF), which is a photographic licence to operate the forklift truck and is nationally recognised, is required.

Here are a few tips for the safe operation of your forklift:

- Before starting each shift, conduct a thorough inspection of the forklift truck and attachments such as lift and tilt systems, steering, brakes, controls, tyres, warning devices, load arms, brake fluid, hydraulic oil, etc.
- Establish safety procedures for fuel handling and storage, and battery changing and charging (including wearing protective equipment as required).
- Make work areas safe for the use of forklift trucks – raised edges on loading docks, install warning signs or barricades, impose speed limits, provide adequate lighting and, if necessary, fit secure ramps to access work areas.
- Ensure that loads are within the rated load capacity of the forklift truck.
- Carry loads as close to the ground as possible.
- Operate the forklift truck with the load placed fully against the truck carriage or back rest – the mast should be tilted sufficiently backward to safeguard the load.
- Use a forklift truck to raise a person only if the truck is designed for this purpose or there is an approved work platform attached.
- Observe speed limits and ensure you can make a safe stop at any time.
- Drive in reverse if vision is obscured by a bulky load.
- Remove the ignition/starter switch key when the forklift truck parked.
- At the end of the day, ensure the controls are in neutral, the power is shut off, the park brakes are applied and the forks fully lowered.
- Exhaust emissions from forklift trucks operating in confined spaces can lead to carbon monoxide poisoning.

## **Armed Robbery**

Armed robberies aren't preventable in all instances but a combination of effective control measures can sometimes make a difference. However, if some drug-affected or intoxicated offender is intent upon robbing your premises, regardless of what preventative measures you might have in place, there is not much you can do about it.

Not all armed robbers are under the influence of drink or drugs. Many are calculating and will not attempt to commit an offence if the balance of detection is weighted against them. In the present climate convenience stores, service stations and bottleshops seem to be the prevalent target for offenders.

In addition to economic loss, an armed robbery is a very traumatic event for the staff member involved. Not only are there the physical threats, and in some instances real bodily harm, but the potential for significant psychological injury.

What can you do about it? A combination of physical security, staff training and security awareness is the best defence against armed robbery. It is recommended you

engage the services of a recognised security consultant to undertake a security audit of your premises. That will establish whether your protective security posture meets the industry standard or not. The fact of the matter is today's contemporary security environment encompasses a range of electronic, physical, administrative and cash handling security measures. It's a normal cost of doing business these days.

Training is essential in terms of providing a proper induction program to new staff joining your organisation. That induction should have some form of security component to it. Staff need to know what to do in the event of an armed robbery and how to recognise any tell-tale signs. There are additional training courses available in the public domain relating to armed robbery preparedness.

Action to take to reduce the risk of armed robbery:

- Be aware of unusual behaviour such as people loitering outside the business, strangers asking about your business or customers dressing unusually.
- Don't provide information about your business, nor discuss security arrangements, with anyone who doesn't need to know.
- Avoid opening and closing your business alone (the biggest risk to your premises is at opening and closing time).
- Closely control the custody, issue and duplication of business keys.
- Install a time delay operated safe with a drop chute and regularly empty your cash drawers into the safe.
- If possible, have a secure area for handling and counting cash. Always keep this area secure and out of sight of the general public.
- Encourage electronic methods of payment, such as credit cards rather than cash, to minimise cash levels.
- Avoid using labelled bank bags or use professional security companies to collect cash and move it to banks
- If you do need to transfer money to the bank, do so at irregular times and vary the route.
- Designate safe areas and escape routes for you and your staff.
- Install Close Circuit Television (CCTV) to monitor entry and movement within your business and have the CCTV attached to a recording device.
- Install an alarm system, particularly one with a duress facility.
- Ensure that rear and side entry points and windows are kept secure.
- Provide good lighting inside and outside of your building.

Make it harder for the potential offender so the negatives appear to outweigh the positives, and in this way help reduce the risk to your business and staff

***Resources:***

NT WorkSafe [www.worksafe.nt.gov.au/](http://www.worksafe.nt.gov.au/)

Safe Work Australia [www.safeworkaustralia.gov.au/](http://www.safeworkaustralia.gov.au/)

HOSPITALITY NT [www.HospitalityNT.com.au/](http://www.HospitalityNT.com.au/)