



SOUTHLAND • OTAGO • CANTERBURY

Health and Safety Policy and Plan

Valid To:

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Policy Statement

JJ Limited is committed to health and safety and we will ensure, so far as reasonably practicable, the health and safety of all our workers and other persons who may be put at risk from our work. We will address this duty of care by; so far as is practical:

- Complying with the Health & Safety at Work Act (HSWA) 2015 and Health and Safety at Work (General Risk and Workplace Management) Regulations 2016, standards, relevant codes of practice and guidelines;
- Providing and maintaining a work environment or work premises that are without risks to health and safety;
- Providing and maintaining safe plant, machinery, equipment, and structures;
- Providing and maintaining safe systems of work;
- Ensuring the safe use, handling, storage and transportation of hazardous substances;
- Providing and maintaining adequate facilities for the welfare of workers;
- Monitoring of the health of our workers and the conditions at the workplace to prevent illness or injury;
- Providing any information, training instructions or supervision necessary to protect our workers from the risks relating to their work;
- Ensure all contractors are suitably qualified to undertake the work for which they are engaged;
- Accurately reporting and recording all workplace events: (injury, illness, incident, near-miss);
- Consulting with and encouraging the participation of other duty holders, our workers and their representatives on matters affecting health and safety;
- Ensuring appropriate processes are in place for receiving, considering and responding in a timely manner to information regarding incidents, hazards, and risks;
- Providing safe means of access and egress to and from places of work;
- Reviewing, revising and evaluating our health and safety management systems and processes at regular intervals to ensure continuous improvement; and
- Supporting the safe and early return to work of injured workers.

Management acknowledges and accepts its responsibilities for health and safety standards in our workplace. However, we seek cooperation from all workers in achieving our health and safety objectives and expect that workers will:

- Take reasonable care for their own health and safety;
- Take reasonable care they do not adversely affect the health and safety of other persons;
- Follow our policies and procedures;
- Comply with any reasonable instructions given;
- Identify hazards, assess and control risks to health and safety that are under their control;
- Use any Personal Protective Equipment (PPE) provided; and
- Report all hazards, accidents, and incidents (events) to their supervisor in a timely manner.

DIRECTOR:

SIGNATURE:

DATE:

David Abbey JONES

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1. Health and Safety Procedures Overview

Introduction

Our Health and Safety System will assist us in addressing the requirements of the Health and Safety at Work Act (HSWA) 2015 and Health and Safety at Work (General Risk and Workplace Management) Regulations 2016.

Our health and safety system comprises a comprehensive set of workplace tools and resources that are supported by documented procedures and a third-party 0800 advice service.

When implemented correctly, the system helps us address our primary duty "to ensure, so far as reasonably practicable, the health and safety of our workers while they are at work" and our duty "to ensure that the health and safety of other persons is not put at risk from work we carry out".

Our health and safety system provides us with the ability to specifically show:

- Our commitment to safety management (as stated in our Health and Safety Policy Statement);
- Our objectives for monitoring and improving health and safety;
- Our workplace safety procedures including risk management (a system for identifying hazards and controlling the risks to health and safety);
- How we provide safe plant, machinery and equipment;
- The facilities we provide for the welfare of workers;
- How we provide information, training and supervision to our workers;
- Our event reporting, recording and investigation procedures, including notification of notifiable events to WorkSafe NZ;
- Our worker participation process;
- Our emergency planning for our workplace(s);
- How we monitor and review our health and safety performance;
- How we provide and maintain Personal Protective Equipment (PPE) to all workers;
- Our process for informing WorkSafe NZ of any notifiable works; and
- Visible evidence of our system in operation.

For the purpose of continuity in this document, the term *worker* is defined as "a person who carries out work in any capacity for a PCBU (including employees, contractors, subcontractors, employees of labour hire companies, apprentice or trainee, person gaining work experience and volunteers)", and *workplace* is defined as "any place where a worker goes, or is likely to be, while at work" and includes a vehicle, vessel, aircraft, ship or other mobile structure".

2. Health and Safety Management

Our health and safety system contains a set of Health and Safety Objectives.

These objectives help us manage our health and safety duties, ensure we implement our health and safety system effectively and demonstrate continuous improvement in workplace health and safety.

We will use these objectives as a guide and each objective will be put in place progressively over the next 12 months and beyond.

We have a health and safety committee made up of representation from management and workers that meet on a regular basis.

The committee is responsible for putting in place our health and safety objectives, creating new objectives and contributing to the overall implementation of our health and safety procedures.

As a Person Conducting a Business or Undertaking (PCBU) we will retain overall responsibility for the management of health and safety and the actions of the committee.

Objectives will be reviewed at our monthly Health and Safety Meetings using the Health and Safety Meeting Checklist.

3. Workplace Safety Representative

We will provide reasonable opportunity for all workers to participate effectively in the process of improving health and safety in our workplace.

When required, we will ensure that health and safety representatives are elected and made known to all workers and contractors.

A workplace health and safety representative may be a dedicated health and safety person or worker, who is able to act on behalf of all workers, on matters of health and safety.

We will ensure worker representatives are able to actively contribute to health and safety in our workplace by participating in regular health and safety meetings.

Where required, health and safety representatives will be afforded the required health and safety representative training.

4. Worker and Visitor Induction

All new workers will be inducted to our workplace using our Worker Induction check list. Part of this induction will cover our Workplace Rules.

Hazard Registers, Safety Procedure Cards, Hazard Cards, and Standard Operating Procedures (SOPs), training and other subjects will be discussed as part of the induction process.

All worker inductions will be recorded on the Worker Induction Checklist and signed by both the new worker and the person doing the induction. Copies will be kept on workers' personnel files.

Worker induction will be raised as an agenda item and discussed at monthly Health and Safety Meetings.

Visitors (non-contract workers) to the workshop or parts department will be taken through the Visitor Induction Register and shown the hazards they may encounter in the workplace. They will sign the Visitor Induction Register as proof of induction. Where practical visitors to the workplace will be escorted and wear a hi-vis vest.

The supervisor or person in control of the workplace is responsible for inducting to the workplace and for finding out what hazards, if any, they have brought to the workplace. The Hazard Board will be updated to reflect the additional hazards, if any.

5. Risk Management

Once hazards have been identified, they will be assessed and controlled by eliminating or minimising any risks to health and safety:

Eliminate: Where reasonably practicable, we will remove the chance of a hazard causing death, injury or illness.

Minimise: Where we cannot eliminate the risk, we will as far as reasonably practicable reduce the chance of the hazard causing death, injury or illness by one or more of the following:

- Substitute (wholly or partly) the hazard creating the risk with something that creates a lesser risk;
- Isolate the hazard from any person who could be exposed to it; and/or
- Prevent any person from coming in contact with the hazard; and/or
- Implement engineering controls e.g. guards, auto cut offs etc.

If the risk still remains we will further minimise the risk by using:

- Administrative controls (such as safety procedures, signs and checklists etc); and
- Personal Protective Equipment (PPE).

Hazards that relate to visitors to the workplace and the actions to control risks to health and safety are written on our Hazard Boards and will be displayed at the entrance(s) to the workplace.

All actions to control the risk of a hazard causing death, injury or illness will be reviewed at our Health and Safety Meetings.

6. Lone Worker

When workers are working alone, or in isolated areas, where they can not physically see or talk to other workers, the *Lone Worker Policy* document shall be followed.

7. Vehicles

We will ensure that all workers using vehicles at work are trained and competent in their use, and hold valid drivers licence. All company vehicles will have a current Warrant of Certificate of Fitness, Registration, correct Road User licences (if applicable) and will be regularly services and maintained.

8. Information, Training and Supervision

We will ensure all workers are sufficiently competent to do their work safely or are supervised by a competent person.

We will ensure that all contractors are sufficiently competent and hold all the relevant qualifications for the work they are engaged to carry out.

We will ensure workers receive adequate and readily understandable information, training, instruction and supervision relevant to the work they are doing (e.g. manual handling, forklift training etc.).

Inexperienced workers will be supervised at all times until they are deemed competent to carry out work unsupervised.

Workers will also be trained in the safe use of plant, machinery and equipment, including the use and maintenance of Personal Protective Equipment (PPE).

We will maintain a record of worker training and competency on our Training Plan and Register and ensure it is updated regularly.

Service Managers will complete a HazardCo Practical Steps Course or equivalent, to ensure they are competent in health and safety management.

The Hazard Cards in the H&S Pack will be used at regular intervals to refresh workers on the workplace hazards and the required risk controls. Such informal training sessions, will be recorded at our Health and Safety Meetings.

Worker training needs will be discussed at our Health and Safety Meetings and scheduled as part of our on going up-skilling programme.

Training needs will be documented in the Health and Safety Meeting Checklist.

Any event (accidents or incident) where training has been identified as a factor contributing to the event, will be raised and discussed at our Health and Safety Meetings.

9. Monitoring and Review

Workplace Reviews

We will ensure all workers are meeting the required standards of health and safety by conducting regular (monthly) workplace reviews using the Site Review Checklist.

The supervisor or worker in control of the workplace is responsible for conducting reviews.

They will use their experience and the information on specific hazards contained in the Hazard Register, SOPs and Hazard Cards, to visually review the workplace for any of the listed hazards or any new hazards. Any identified hazards and the risk controls required to eliminate or minimise risks to health and safety, will be recorded on the Workplace Review Checklist, at the time of the review.

The appropriate risk controls will be put in place (as soon as possible), to ensure workers are protected from harm (death, injury or illness).

Any hazards identified during the Workplace Review that could affect visitors to the workplace will be added to the Hazard Board, along with the appropriate risk control to prevent them from causing any harm.

Workplace review findings will be discussed at our Health and Safety Meetings.

Monitoring Health and Safety

A Health and Safety Meeting will be held monthly to review our health and safety practices and performance.

We will use the Health and Safety Meeting Checklist as a guide to conduct our meetings. Meetings will discuss findings from Workplace Reviews, any recorded accidents and incidents (events) and general health and safety matters.

General health and safety matters will include reviewing existing hazards, worker training needs, PPE requirements, health monitoring, hazardous substances, plant, machinery, and equipment, other regulatory requirements and the sign off of annual Health and Safety objectives.

Meetings will include participation and representation from all areas of the organisation including workers, supervisors and management. All representatives are expected to participate.

10. Hazardous Substances and Containers

Hazardous substances are chemicals that have been classed as having one or more of the following properties:

- Explosive
- Flammable;
- Self-reactive;
- Oxidising;
- Toxic;
- Corrosive; and
- Dangerous to the environment.

As required by workplace regulations, we will ensure that when using hazardous substances, no action or inaction by our workers causes an adverse effect to the environment or any harm to any person coming into contact with that substance.

We will ensure the correct and safe use, handling, storage and transportation of hazardous substances. Where required, we will also have a storage license (e.g. Location Test Certificate) and our workers will have the correct training and handling licenses (e.g. Approved Handler certificate etc.), which will be listed on workers' individual Training Plan and Register.

All hazardous substances held in our workplace will be recorded by type and quantity on our Hazardous Substance Register. We will ensure that the appropriate Safety Data Sheets (SDS) are held in the workplace and are readily available in the event of an emergency. We will also ensure that the required safety warning signage is displayed.

Workers will be provided with the correct PPE and training appropriate to the hazardous substances being used, as per the MSDS. Where applicable workers will be provided with annual health monitoring.

Containers

As required by workplace regulations, all hazardous containers will be securely covered or enclosed by a secure fence that provides adequate protection for any worker near a hazardous container.

Hazardous substances will be raised as an agenda item and discussed at our Health and Safety Meetings.

11. Event Reporting and Recording

We will ensure that there are suitable recording & reporting processes in our workplace. The *Event Register* and *Event Investigation Form* for recording and reporting any incident or injury will be available in the workplace.

Workers are expected to report all injuries and near-miss incidents to their workplace supervisor.

Minor injuries and near miss incidents will be recorded on the *Event Register* by the workplace supervisor or worker in control of the workplace and discussed at the next Health and Safety Meeting.

All notifiable events will be immediately reported to WorkSafe NZ by the fastest means available. We will also report in writing within 48 hours using the prescribed form if required by WorkSafe NZ.

HazardCo will assist in the reporting and investigation of notifiable events. This is to ensure that the *Form of Register or Notification of Circumstances of Accident or Serious Harm* forms are completed correctly, any causes are identified, and that any remedial action proposed is appropriate.

12. Event Investigation

We will investigate all accidents, incidents and near misses (events) to determine whether they were caused by hazards. Where applicable, we will also find out what risk controls were absent and should be put in place to manage any hazard and prevent a repeat of the same occurrence.

Where required we will report back to WorkSafe NZ on the prescribed form, any system changes we have made as a result of an event. All persons present at the time of the event are expected to assist in any investigation.

The supervisor or worker in control of the workplace is responsible for investigating events and documenting their findings using either the Accident Investigation or Near Miss Event Investigation form's or on a Duty Holder Review Investigation Report (if required by WorkSafe NZ).

We will also notify HazardCo of any notifiable event and they will email us the appropriate form/s. Once we have completed the relevant form/s, we will forward this to HazardCo for recording and/or review.

Event investigation findings will be discussed at our Health and Safety Meetings and a remedial action plan will be put in place, recorded in the Health and Safety Meeting Checklist and reviewed at subsequent meetings.

13. Emergency Procedures and First Aid

As required under the Fire Safety and Evacuation of Buildings Regulations 2006, we will ensure our building has an appropriate fire evacuation plan or scheme for the safe exit from the building in the event of a fire. All exits are marked and kept clear of stacked materials or obstruction.

We will ensure that any required fire equipment is maintained to a schedule and appropriate Fire Evacuation Notices are provided throughout our workplace.

Our Emergency Plan template contains the following:

- General emergency procedures;
- Specialist emergency procedures (working at heights etc.);
- Evacuation procedures;
- Emergency signal;
- Method of communication with all workers in an emergency;
- Frequency of testing required for emergency procedures;
- Important emergency contacts; and
- The location of the assembly area(s).

We will provide a completed Emergency Plan for our workplace and ensure it is available for our workers wherever they are doing work. A summary of the Emergency Plan is also listed on the Site Hazard Board(s).

The supervisor or person in control of the workplace, is responsible for ensuring that the Emergency Plan is kept up to date and that all workers (including contract workers) have read this and are familiar with its content.

All workers will be taken through the Emergency Plan as part of their Workplace Induction.

As a PCBU, we will ensure we provide up to date first aid equipment at first aid stations and facilities for health and safety in our workplace. We will also ensure an adequate number of workers are trained to administer first aid or that our workers have access to a first aid trained person.

Training needs will be discussed with workers at our Health and Safety Meetings and training will be recorded in workers individual Training Plan and Registers.

14. Notification of Hazardous Work

The requirement to notify WorkSafe NZ is defined in the Health & Safety Regulations.

Where hazardous work is to be carried out by the company, WorkSafe NZ will be informed in writing at least 24 hours prior to commencement of such work.

Notification is completed online, via WorkSafe NZ's website at:

<http://www.business.govt.nz/worksafe/notifications-forms/particular-hazardous-work>.

If WorkSafe NZ is notified online, an electronic confirmation will be received and a copy of the notification will be kept for our records.

A copy of any completed Notification of Hazardous Work Forms will be held in the workplace for the duration of the job. If engaged in hazardous work, workers involved will be competent to perform the work and where applicable, will be holders of an appropriate qualification.

15. Safe Plant and Equipment (Machinery)

We will ensure that all plant and equipment supplied to and used by workers, is of the required standard and is in good working order, with all safety mechanisms and guards intact.

All plant and equipment will have a Standard Operating Procedure (SOP), manufacturer's instructions, or both, containing information on its safe operation and maintenance.

If any plant or equipment is not in safe working order, it will be removed from service and repaired by a competent person before any further use.

All plant and equipment will be recorded in the Plant and Equipment Register or the Electrical Equipment Register. It will be regularly checked using an appropriate checklist and maintained to a schedule.

This document will be held in our office and regularly updated. It is the responsibility of the workplace supervisor or worker in control of the workplace, to ensure the Plant and Equipment Register is kept up to date.

Workers will be made aware of their obligation (during induction) to regularly inspect plant and equipment and to immediately stop work and report to their supervisor if any damage or fault poses a risk of death, injury or illness.

All operators will be both trained and competent to use plant and equipment or supervised by someone who is trained and competent. Suitable training will be recorded on workers' individual Training Plan and Registers.

Plant and equipment will be raised as an agenda item and discussed at our Health and Safety Meetings.

The *Pre-Purchase Health & Safety Risk Assessment Checklist* shall be used to ensure health and safety issues are taken into consideration for all relevant purchases.

16. Personal Protective Equipment (PPE)

Where there is a need to further minimise a risk to health and safety, we will ensure our workers are provided with the necessary Personal Protective Equipment (PPE).

We will ensure the PPE provided to our workers is:

- Suitable, considering the nature of the work and any hazards relating to that work;
- A suitable size and fit and reasonably comfortable for our workers;
- Compatible with other PPE;
- Maintained, stored and repaired so that it continues to be effective (e.g. clean, hygienic and in good working order);
- Used or worn by workers; and
- Provided along with information, training, supervision and instruction on the proper use, storage and maintenance of the PPE.

We will establish a minimum PPE requirement for our workplace, which will be monitored by our supervisor.

Specific PPE requirements for machinery, tasks and the handling of substances are identified in Standard Operating Procedures (SOP's), manufacturer's instructions, Safety Data Sheets (SDS's), the Hazard Register and in the Hazard Cards.

The PPE provided may include equipment and clothing such as steel toecap boots, overalls, gloves, dust masks, respirators, eye wear, hearing protection etc.

Where applicable, PPE such as dust masks, hearing protection etc. will be maintained to a schedule and recorded in the PPE Register.

We will ensure that contract workers (other PCBU's), supply suitable PPE appropriate for the job they are undertaking and make sure it is used and maintained correctly.

PPE will be raised as an agenda item and discussed at our Health and Safety Meetings.

17. High Risk Work

As a PCBU we will ensure that all high-risk work is carried out in accordance with the relevant standards, codes of practice and guidelines, including electrical work, gas installations, working at height, confined spaces, and asbestos.

18. Permit to Work Systems

A Permit to Work must be issued by the person in charge of the workplace if the work being carried out requires it e.g. confined space entry, hot works within a confined space etc.

It is the responsibility of the issuer of the permit, to ensure the recipient is made aware of the safety requirements that apply to the work.

It is the recipient's responsibility to ensure that work is carried in accordance with the permit requirements. If the work changes the permit must be updated or a new one issued.

19. Health Monitoring

Where required in workplace Regulations we will ensure that health monitoring is provided to our workers who may be exposed to substances or conditions hazardous to their health where there is a reasonable chance of disease or health effect.

Illnesses would include noise induced hearing loss, back injuries, respiratory issues from exposure to hazardous atmospheres or airborne contaminants and other long-term illnesses developed in the workplace.

Where applicable we would obtain a baseline of our workers' health by conducting pre employment health checks and by regular on going monitoring of workers and the workplace. This may involve obtaining specialist health monitoring advice.

We will be proactive in communicating with workers and informing them of our duty to carry out health monitoring and all other information required in the Regulations.

We will also inform workers of the results of any health and safety monitoring undertaken, to meet the risk management requirements of the Act.

Health monitoring will be raised as an agenda item and discussed at our Health and Safety Meetings.

Where there is a risk of illness or injury through exposure to hazards and these cannot be eliminated, we will minimise these risks by monitoring exposure levels and providing the appropriate PPE.

Noise

Where noise presents a hazard in the workplace, we will ensure work is carried out in accordance with the Approved Code of Practice for the Management of Noise in the Workplace.

Regardless of whether hearing protection is being worn, we will ensure that no worker is exposed to noise above the following levels:

- Eight hour equivalent continuous A-weighted sound pressure level of 85dB; and
- Peak sound pressure level of 140dB.

All workers will be issued with AS/NZ 1270:2002 Class 5 hearing protection for any work that exceeds noise levels of 85 decibels. Staff will get the option between ear muffs & ear plugs of a Class 5 level.

Where appropriate we will implement health monitoring of workers exposed to continuous or peak noise levels.

Dust, Airborne Particles & Hazardous Atmospheres

Where exposure to dust, airborne particles or hazardous atmospheres presents a hazard in the workplace, we will ensure the workplace is monitored in accordance with Health and Safety at Work (General Risk and Workplace Management) Regulations 2016 and WorkSafe NZ's fact sheet, which outlines the following steps to be taken:

- Hazards must be identified;
- Risk control methods are developed and used;
- Respiratory protection is provided;
- Air monitoring of the workplace is undertaken regularly;
- Workers are trained on the hazards associated with the work they are undertaking;
- Workers are trained on the correct use and maintenance of PPE provided; and
- Warning signs are put in place as required.

Where appropriate we will implement health monitoring of workers exposed to dust, airborne particles or hazardous atmospheres.

20. Isolation of Supply

All work that effects or interferes with the supply or potential supply of gas, electricity or water shall be carried out under a Lock Out/Tag Out system.

This system shall consist of a physical lock being placed at the point of isolation, with an identification tag with the name and number of the qualified person completing the isolation.

If more than one worker is reliant on this isolation, then he/she will place his/her own lock and identification tag at the isolation point. This is to ensure that no point of supply can be reinstated without the knowledge of all affected by the isolation.

Lock Out/Tag Out systems must not be removed or reinstated by any person other than the person who installed them.

All other mechanically generated sources of energy, such as pneumatic or hydraulic energy sources, should also be physically isolated (e.g. chocked or secured with a chain etc) when undergoing maintenance and/or servicing.

21. Management of Contract Workers

As a PCBU we will ensure all workers, including any contract workers, have and use the appropriate resources and processes to eliminate or minimise health and safety risks.

To do this we will pre-qualify new contract workers, to ensure they are competent in health and safety management.

To ensure competency, all contract workers must have an active health and safety system that addresses their legal duties to provide:

- A work environment without risks to health and safety;
- Safe plant and structures;
- Safe systems of work;
- The safe use, handling and storage of substances;
- Adequate facilities for the welfare at work of workers;
- Any information, training, instruction or supervision that is necessary to protect all persons from risks relating to the work they are doing;
- Monitoring the health of workers and the conditions at the workplace to prevent illness or injury;
- A maintained premises, so that a worker occupying the premises is not exposed to risk; and
- Worker participation in health and safety.

HazardCo can be contacted to assist in this pre-qualification process.

If any of our work involves the engagement of, or working alongside other PCBU's (e.g. sub-contractors working on the same job), we will consult and cooperate with all contractors involved and coordinate all activities to ensure risks are managed appropriately.

Contractor management will be raised as an agenda item and discussed at our Health and Safety Meetings.

22. Client and Visitor induction

When applicable, the Induction Cards will be used by workers to inform clients and visitors of the hazards they will encounter when visiting the workplace.

Visitors will be met at the entrance to the workplace and taken through the Induction Cards, then escorted for the duration of their visit, and they shall wear a hi-vis vest.

Workers are required to enforce the Site Rules outlined in the Safety Procedure Cards, to ensure visitor safety

23. Legal Obligations and Duties

The following is a summary of the main legal obligations contained in the Health & Safety at Work Act 2015 and Health and Safety at Work Regulations 2016. Definitions of relevant terms contained in the Act and Regulations are also included:

PCBU DUTIES UNDER THE ACT

Every Person Conducting a Business or Undertaking (PCBU) must comply with health and safety legislation.

Duty to ensure the safety of workers and others

As a PCBU you are required to ensure the safety of workers and others, so far as reasonably practicable. This includes workers who are employed or engaged by you, workers who are directed or influenced by you and any other person who enters your place of work or who is put at risk by your work.

To address your duties as a PCBU you must ensure you provide and maintain (as far as reasonably practicable):

- A work environment without risks to health and safety;
- Safe plant and structures;
- Safe systems of work;
- The safe use, handling and storage of substances;
- Adequate facilities for the welfare at work of workers;
- Any information, training, instruction, or supervision that is necessary to protect all persons from risks relating to the work they are doing;
- Monitoring the health of your workers and the conditions at the workplace to prevent illness or injury; and
- You must also maintain any premises so that a worker occupying the premises is not exposed to risk.

Duty to provide training and supervision

PCBU's are also required to provide worker training and supervision. Workers must be competent to do their work, made aware of the potential hazards and expected risk controls. There must be a system for dealing with any emergencies that occur at work.

Duty to notify events

PCBU's must notify WorkSafe NZ of any Notifiable Events, which include a death, notifiable incidents and notifiable injury or illness.

Duty to preserve sites

PCBU's must take all reasonable steps to ensure that any site where a notifiable event occurs is not disturbed until authorised by an inspector.

Duty to engage workers

PCBU's are required to engage with workers on health and safety matters.

Right of workers to refuse work

Workers have the right to refuse to do work that could cause them harm.

General PCBU H&S obligations

PCBU's cannot contract out of health and safety obligations.

PCBU's must manage Risks to health and safety.

PCBU's must not levy workers.

PCBU's cannot contract out of health and safety obligations.

PCBU's cannot transfer their obligation to another PCBU.

Duty to ensure workplace is safe

A PCBU with management or control of a workplace must also ensure that the workplace, the means of entering and exiting the workplace, and anything arising from the workplace are without risks to the health and safety of any person.

Duty to consult with other duty holders

PCBU's who have a duty relating to the same matter (e.g. working on the same job) must, so far as is reasonably practicable, consult, co-operate with, and co-ordinate activities with all other PCBU's who have a duty in relation to the same matter.

Duty of Officers

Officers of a PCBU must exercise *due diligence* to ensure that the PCBU complies with its duties or obligations.

Due diligence

To exercise due diligence, you must:

- Acquire and keep up to date knowledge of work health and safety matters;
- Gain an understanding of the nature of your operations and the hazards and risks associated with those operations;
- Ensure that when work is carried out, appropriate resources and processes are available for use (and are used) to eliminate or minimise risks to health and safety;
- Ensure appropriate processes are in place for receiving, considering and responding in a timely manner to information regarding incidents, hazards, and risks;
- Ensure that processes are implemented for complying with any duty or obligation of a PCBU under the Act; and
- Verify (regularly check) that processes and resources have been provided and used.

Duties of Workers

Workers engaged or employed by a PCBU must:

- Take reasonable care for their own health and safety;
- Take reasonable care they do not adversely affect the health and safety of other persons;
- Comply with any reasonable instruction that is given by a PCBU; and
- Cooperate with any reasonable policy or procedure of a PCBU relating to health or safety in the workplace.

When using PPE, workers must:

- Use and wear PPE in accordance with reasonable instructions of the PCBU;
- Not intentionally damage or misuse PPE; and
- Report any unfit, damaged or defective PPE to the PCBU.

PCBU DUTIES UNDER THE REGULATIONS

Identify hazards

PCBU's have a duty to identify foreseeable hazards that could give rise to risks to health and safety.

Duty to manage risk (hierarchy of control)

As a person under the Act you have a duty to:

- Eliminate risks to health and safety, so far as reasonably practicable, or if not reasonably practicable; to
- Minimise those risks so far as is reasonably practicable.

This duty applies to PCBU's, workers and other persons with a duty under the Act. In other words risk management is everyone's responsibility.

The most important part of this process involves the creation and use of a system that identifies hazards and manages risks.

The management of risks requires the controlling of the risk through:

- Elimination of the risk of any hazard causing death, injury or illness; and
- If elimination is not possible by minimising the risk of the hazard causing death injury or illness.

Minimisation controls include:

- Substituting (wholly or partly) the hazard creating the risk with something that lowers the risk;
- Isolating the hazard from any person who could be exposed to it; and/or
- Implementing engineering controls.

If the risk still remains, you must further minimise the risk by using administrative controls such as; work methods, procedures, checklists, and PPE.

If you must minimise the risk, then where possible multiple risk controls should be used.

Duty to review risk controls

PCBU's who implement risk controls must ensure they are effective, maintained and remain effective, including ensuring they are:

- Fit for purpose;
- Suitable for the nature and duration of the work; and
- Installed, set up and used correctly.

Duty to maintain controls

PCBU's must review and revise risk control measures to maintain a work environment that is free of risks to health and safety. Reviewing risk controls is required:

- When the control does not control the risk (e.g. after a review or accident);
- Before a change at the workplace that could create a new risk (e.g. use of new equipment or change of job step);
- A new hazard or risk is identified (by a worker or other person); and
- As a result of a health monitoring report.

Duty to provide training and supervision

PCBU's must ensure that every worker conducting work, using plant or handling substances:

- Has the knowledge and experience to ensure the work they are doing does not cause harm to the worker or others; or
- Is supervised by a person who has the knowledge and experience; and
- Is adequately trained in the safe use of plant, objects, substances and equipment that the worker is required to be used; and
- Has all protective clothing that the worker is or may be required to wear.

Duty to manage airborne contaminants

PCBU's with management or control of a workplace must ensure that facilities are provided:

- To control airborne contaminants as closely as possible to their source; and
- For the treatment of, or carrying off of airborne contaminants to minimize the chance of harm to workers.

Duty to provide first aid

PCBU's must ensure:

- That adequate first aid equipment is provided for the workplace and is accessible to all workers; and
- An adequate number of workers are trained to administer first aid; or
- Workers have access to an adequate number of persons who have been trained to administer first aid.

Duty to provide an Emergency Plan

PCBU's at a workplace must ensure that an emergency plan is prepared for the workplace.

The Emergency plan must provide emergency procedures that:

- Provide an effective response to an emergency;
- Detail how to evacuate;
- Detail how to notify emergency services and others at the earliest opportunity;
- Identify medical treatment and assistance to be provided;
- Provide effective communication to coordinate the emergency response;
- Provide for regular testing of the emergency plan; and
- Provide effective communication, training and information to workers to implement the emergency plan.

Duty to provide PPE

PCBU's who direct the carrying out of work must provide PPE to workers unless the PPE has been provided by another PCBU.

PCBU's must ensure that the PPE selected is:

- Suitable for the nature of the work and the hazards associated with the work;
- A suitable size and fit and reasonably comfortable for the worker who uses it;
- Clean and hygienic; and
- In good working order.

PCBU's must also ensure:

- PPE is used or worn by the worker;
- PPE is compatible with any other PPE being used or worn by the worker; and
- That workers are trained in the use and maintenance of PPE.

Duty to manage remote or isolated workers

PCBU's must manage risks to health and safety of workers associated with remote or isolated work.

When minimising this risk a PCBU must provide a system of work that includes effective communication with a worker.

Duty to manage hazardous atmospheres

PCBU's with management or control of a workplace must manage risks to health and safety associated with a hazardous atmosphere at a workplace.

Duty to manage ignition sources

PCBU's with management or control of a workplace must manage risks to health and safety associated with an ignition source in a hazardous atmosphere at a workplace.

Duty to manage falling objects

PCBU's with management or control of a workplace must manage risks to health and safety associated with any falling object likely to injure a person at a workplace.

Duty to manage hazardous containers

PCBU's with management or control of a workplace must ensure that where there is a hazardous container at the workplace:

- It is securely covered; or
- Enclosed by a secure fence that extends 1 metre above the floor, ground or platform.

Duty to provide health monitoring

PCBU's must ensure that health monitoring is provided to any worker who may be exposed to a substance hazardous to their health relating to:

- An identifiable disease or health effect;
- The likelihood a disease or health affect will occur under the conditions of work; and
- The use of valid techniques to detect a disease or health effect.

PCBU's are required to inform workers of all relevant information regarding the health monitoring including how the monitoring is to be conducted and the results of any monitoring.

24. Definitions

Reasonably Practicable: means what can reasonably be done to ensure health and safety taking into account:

- The likelihood of the hazard occurring;
- The degree of harm that might occur;
- What the person knows or should know about the hazard and how to manage it;
- The availability of ways to manage the hazard; and
- The costs versus the risk

Workplace: a place where work is carried out including where a worker goes while at work (includes vehicles, mobile structures, aircraft, ship etc.).

PCBU: a person conducting a business or undertaking, whether alone or with others and regardless of for profit or gain – excludes those defined as workers.

Officer: a company, any person occupying the position of director, a partnership, any general partner, body corporate, an unincorporated body and any person occupying a position in such an organisation. Any person who makes decisions in an organisation that affects the whole or substantial part of the business.

Worker: a person who carries out work in any capacity for a PCBU (includes employees, contractors, subcontractors, employees of labour hire companies, apprentice or trainee, person gaining work experience and volunteers)

Risk: the possibility that death, injury or illness might occur when a person is exposed to a hazard.

Hazard: a situation or thing that has the potential to cause death, injury or illness (includes a person's behaviour).

Health: means physical and mental health.

Risk Management: controlling a hazard through Elimination or Minimisation strategies or controls.

Visitors: includes groups such as customers, hospital patients, contractors or other visitors to a workplace, an employee's family, passers-by and any other person who may be affected by the work activity.

Plant: any machinery, vehicle, equipment (including PPE), appliance, container, implement, or tool and any component or fitting connected to any of these things.

Notifiable Event / Notifiable Injury or Illness / Notifiable Incident: see the *Event Register* folder for the full definition.

Training: the provision of adequate (relevant to the nature of the work and its risks) and readily understandable information or instruction.