

Health and Safety at Work Act: What you need to know



WHY DO WE NEED NEW WORKPLACE HEALTH AND SAFETY LAW?

- 73 people die on the job every year
- 1 in 10 is harmed
- At least 600 die from work-related diseases
- 200,000 ACC claims for work-related harm
- \$3.5 billion in costs (2-4 percent of GDP)
- Devastating emotional toll

KEY CONCEPTS OF THE HEALTH AND SAFETY AT WORK ACT

- **PCBU**
- **Primary duty of Care**
- **Overlapping duties**
- **Reasonably Practicable**
- **Due Diligence**
- **Worker Participation**

WHAT IS A PCBU?



A “person” conducting a business or undertaking

WHAT IS THE PRIMARY DUTY OF CARE?

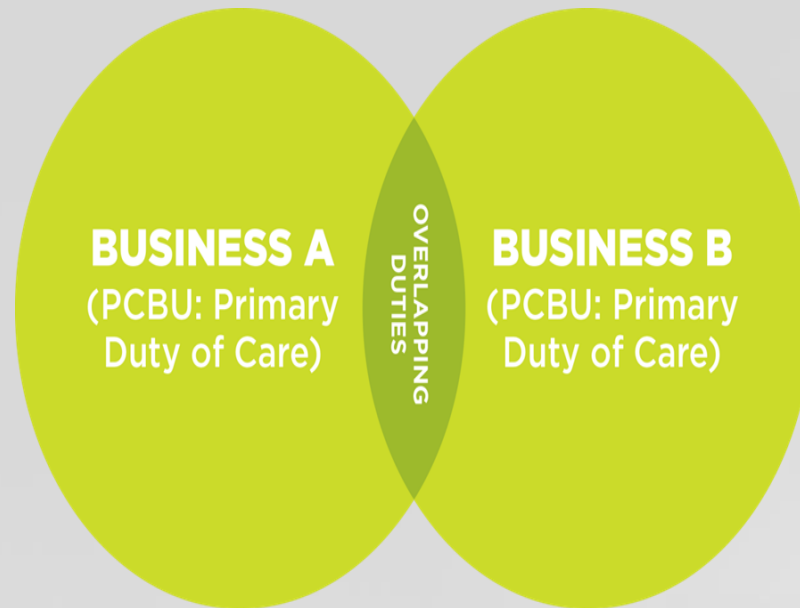
The PCBU is required to look after the workers it employs or engages, as well as those workers **influenced or directed** by the PCBU

The PCBU must also ensure others' health and safety is not put at risk from the conduct of the business or undertaking

“SO FAR AS IS REASONABLY PRACTICABLE...”

What is or was reasonably able to be done to ensure health and safety, taking into account and weighing up all reasonable matters

DUTY TO CONSULT, COOPERATE AND COORDINATE



PCBUs must discharge their duty to the extent possible based on ability to influence and control the matter

Myths

- **WorkSafe will ban lolly scrambles and Santa parades**
- **WorkSafe will ban children from farms**
- **WorkSafe will stop people volunteering**
- **WorkSafe will prosecute sports clubs if a player gets injured**

The Facts

- **Our aim is to reduce workplace fatalities and serious injuries by **25% by 2020****
- **We will achieve this by targeting the highest risk sectors**
- **Enforcement is an important part of what we do but not the only thing**
- **A sensible approach to health and safety means focusing on significant risks.**

IN A NUTSHELL

- Leaders need to step up and be accountable
- Identify and manage your risks
- Health and safety must be part of your organisation's culture
- Get your workers involved
- We will engage and support you