

POLICY PURPOSE

The purpose of this policy is to enable management and staff to deal with this issue in a practical and effective way and to ensure that all staff, smokers and non -smokers and visitors, have a clear understanding of their rights and responsibilities in regards to current legislation and community expectations.

POLICY STATEMENT

Council will have effective procedures to deal with smoking in the workplace. These will include:

1. Smoking is prohibited in all enclosed areas of Council,; they include buildings, sheds and motor vehicles.
2. In keeping with the definition of a workplace, staff are not permitted to smoke whilst carrying out work, that includes the outdoors, Town Streets, Malls, etc. *This is in relation to Council's obligations to provide a safe workplace and safe systems of work.*
3. Employees who are smokers, do not have an automatic right to take smoke breaks. Breaks, like any other (unauthorised) breaks and designated smoking areas, needs to be negotiated with supervisors.

Refer to attached document "Human Resources Manual – Smoking in the Workplace" (Ref. File GE2283) that supports this policy.



**Procedural Statement and Directive (PSD)
No. HRM 016**

**WORKPLACE HEALTH, SAFETY AND
WELFARE**

Related Council Policy Nos:

- 214 Equal Employment (EEO)
- 316 Threats made to an employee
- 318 Harassment
- 319 Human Resource Management
- 322 Occupational Health, Safety and Welfare
- 325 Risk Management
- 327 Smoking in the workplace
- 334 Workers' Compensation
- 335 Workplace Drug and Alcohol use

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Responsible Department: Corporate and Community Services

Responsible Person: Craig Catchlove

Approved by Chief Executive Officer:  **Date** 17.12.13

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Strategic Plan Outcomes:

Strategy 5.2.5

Ensure safe work practices through the implementation of the Occupational Health, Safety and Welfare policy

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1. PURPOSE

Alice Springs Town Council (Council) is committed to ensuring the workplace health, safety and welfare (WHS&W) of its employees, contractors and visitors.

Management and employees will work together to:

- achieve for Council the highest possible standards of workplace health and safety
- achieve as far as possible elimination of avoidable risks, and control and mitigation of unavoidable risks, to the health or safety of workers
- make workplaces safe not only for workers but also for others
- encourage cooperation through consultation between employers and workers, and associations of employers and workers:
 - (a) in developing and implementing measures to improve WHS&W
 - (b) in achieving progressive improvement in standards and performance in WHS&W
- provide effective injury management and support to an employee whose health and well being have been affected by their work or work related activities
- eliminate accidents and damage in the workplace
- integrate WHS&W with all other operational responsibilities of Council.

2. GUIDING PRINCIPLES

The PSD in this document adhere to:

- Coordinating risk management practices;
- Ensuring appropriate accountability by users.
- Minimising cost to Council;

3. PROCEDURAL STATEMENTS

3.1 Exceptions

There are no exceptions to this Procedural Statement and Directive.

3.2 Applicability

This Procedural Statement and Directive applies to all Council employees, contractors and visitors.

3.3 Procedures

3.3.1 WHS&W Responsibilities

(a) Chief Executive Officer: 'Responsible Officer under WHS&W legislation and is legally accountable for the health, safety and welfare of all an employee whilst at work.

(b) Managers and Supervisors: Have a primary responsibility for management at the operational level. They will also assume responsibility for all employees, contractors or visitors to the worksites under their control.

(c) Workplace Health, Safety and Welfare Officer: Responsible for the coordination and promotion of safe and healthy work activities and ensuring that Council and its officers comply with prevailing WHS&W legislation and practices.

(d) Employees: Have a primary responsibility to follow authorised direction, to not misuse equipment and safety equipment provided for them, to report any hazards and cooperate with management in the endeavour to eliminate unsafe work and work practices.

(e) Health and Safety Representatives (HSR's):

- inquire into WHS&W issues affecting workers
- assist workers in their dealings with management and workplace safety officer on WHS&W issues
- ensure that matters of concern to workers on WHS&W issues are brought to the attention of management
- mediate between workers and management on WHS&W issues, to assist in the resolution of problems affecting the WHS&W or workers
- issue a notice of safety hazard in appropriate circumstances
- issue a direction to a worker to stop work in a case of serious and immediate risk to the health or safety of the worker.

HRS's are elected to represent employees through participation on the Worksafe Committee. Work with both employees and management to solve workplace WHS&W issues.

(f) First aid officers: Responsible for determining treatment required for injured and/or ill Council employees, contractors and visitors as well as maintaining the first aid kits and register

(g) Contact officers: Nominated employees trained to provide other employees with information and impartial support regarding issues of discrimination, harassment and bullying. They also provide clarification about the employers' policies and procedures.

(h) Responsible officer: The Council employee responsible for appointed Council contractors, whose role includes ensuring that the Contractor fully understands and adheres to Council's WHS&W requirements.

(i) Worksafe Committee: Includes management representatives and HSR's who meet regularly to make recommendations to Council regarding workplace health, safety and welfare.

3.3.2 Equal Employment Opportunity (EEO)

Council will provide equal opportunities to all persons with regards to recruitment and work tasks and eliminate discrimination against persons on the ground of race, sex, sexuality, age, marital status, pregnancy, parenthood, breastfeeding, impairment, trade union or employer association, religious belief or activity, political opinion, affiliation or activity, irrelevant medical record or irrelevant criminal record in the area of work.

3.3.3 Employee Assistance Scheme

An employee may attend, at no cost to the employee, a maximum of five (5) counselling sessions per any twelve (12) month period of employment. These confidential sessions must be with a Council appointed employee assistance program provider. An employee and their immediate family are eligible to participate in this program. Sessions may be used to address a range of personal issues, including problems with alcohol and drugs.

3.3.4 Workplace Bullying and Harassment

Workplace bullying is unreasonable behaviour, both obvious and hidden, that intimidates, humiliates or causes harm to an individual or group within a workplace.

Council recognises that an important part of the establishment of a healthy and safe work environment is the prevention and elimination of bullying and harassment in the workplace. Council has a duty to find out if bullying or harassment has occurred and will take steps to ensure this behaviour does not happen again.

Council has a fundamental legal right to direct and control how work is done. Managers have a responsibility to monitor workflow and give feedback on performance.

However unreasonable treatment of others may be considered to be workplace bullying or harassment and should not be tolerated. This treatment may include, but is not limited to:

- spontaneous rages, often over trivial matters
- personal insults, name-calling and/or constant criticism
- persecution through threats or instilling fear

If an employee feels bullied or harassed they should:

- work out what they want to happen
- not retaliate and become a bully themselves
- keep records of bullying incidents
- seek advice and support of others (friends, colleagues, union officials, contact officers, Discrimination Commission, Human Rights & Equal Opportunity Commission)
- consider approaching appropriate Council employee including Supervisor, Council Contact Officer or HR and lodging an informal or formal complaint. Formal complaints are lodged using Council's "Grievance Dispute Notification" form (Refer to WHS&W Form 1)
- consider using the Employee Assistance Scheme.

3.3.5 Smoking in the workplace

Council aims to protect and prevent an employee, contractors and visitors of Council to unnecessary exposure to environmental tobacco smoke (ETS). Council prohibits smoking inside Council buildings and vehicles. Smoking is also not permitted within 5 meters from an entrance door or an air conditioning outlet. Council will identify and adequately signpost smoking areas for employees.

An employee who is a smoker does not have an automatic right to take smoke breaks, but rather needs to negotiate this with his/her Supervisor within Council's Enterprise Agreement.

3.3.6 Alcohol and other drugs

Council will not accept an employee being unfit for duty due to alcohol or other drugs at the workplace and will implement the necessary procedures to eliminate this risk. This process is outlined in Council's Code of Conduct. An unfit for duty form must be completed in these instances. (Refer to WHS&W Form 14).

3.3.7 Personal and Protective Equipment

Personal protective equipment (PPE) refers to the equipment worn by an employee, contractors and visitors to reduce their risk of exposure to hazards.

Council will provide for all employee's PPE's that meet the requirements of the Australian Standards Association (ASA)

Where appropriate Council will;

- issue appropriate PPE's, including high visibility uniforms and sun protection items, to enable work to be carried out in a safe manner
- ensure an employee is trained regarding PPE and correctly wears all PPE's as required
- replace the PPE, as appropriate, on the return of the damaged, worn out or faulty PPE
- ensure that an employee will provide, at the time of issue, medical evidence to support any special considerations in relation to the supply of other than the standard Council issue.

Where an employee requests safety boots of a different style that is not supported by a doctor's letter/medical certificate, he/she will be required to pay the difference between the cost of non-issue item and what Council pays for the standard issue.

Fastened high visibility vests will be worn at all times when working on roads and road reserves;

3.3.7.1 Footwear

Footwear that is appropriate for the workplace will be worn by an employee all times. Neither bare feet nor thongs are permitted.

3.3.8 Sun Protection

Employees will be provided education about what changes to look for on their own skin. All employees should be encouraged to check their skin regularly and have suspicious spots checked by their doctor.

A broad spectrum, water-resistant sunscreen with an SPF 30+ is recommended for employees who are required to work outdoors.

An employee must wear clothing and accessories that meet the following guidelines:

- shirts with and a collar made from a close weave, breathable fabric with an ultraviolet protection factor (UPF) rating of 50 or 50+ (as classified by AS/NZS 4399)
- Council strongly recommends that employees exposed to the sun whilst at work wear long sleeved shirts
- loose fitting long trousers or shorts to within 2 cms of the knee
- broad brimmed hats with UPF50+ rating and measuring no less than 8cm in width OR bucket hats with UPF50+ rating and a deep crown that sits low on the head and has an angled brim at least 6 cm wide will be worn at all times
- approved beanies may be worn from 1 May until 31 August until 9.30am
- hard hats, if required, with neck flaps attached
- uv protection safety glasses which comply with Australian Standard AS 1067 and screen out at least 99% of ultra violet light

3.3.9 Hazard Management

Hazard management refers to the elimination and/or minimisation of risk associated with workplace hazards. This is done at Council by ensuring:

- Job Safety Environment Analysis (JSEA's) (Refer to WHS&W Form 2) and Safe Operating Procedures (SOP's) (Refer to WHS&W Form 3) are developed for all relevant job tasks & carefully followed. The Risk Assessment must also to be used by council contractors as required. (Refer to WHS&W Form 4)
- periodic inspections are carried out by HSR's, using Council's Safety Workplace Checklist, (Refer to WHS&W Form 5) of all of Council's worksites and provide advice and guidance for the elimination of risks and hazards
- an identified hazard is assessed by a HSR's using a 'Hazard Identification and Control Form" (Refer to WHS&W Form 6) to determine what action should be taken
- a register is maintained for all hazardous substances purchases used or produced in the workplace
- all workplace chemicals and the hazardous substances will be stored, handled and labelled as per Council's Chemical Management Program, manufacturers' instructions and Material Safety Data Sheets (MSDS's)
- machines or equipment which could be unexpectedly started are isolated and tagged out during installation, setting up, adjusting, inspection, modification, maintenance and/or servicing

3.3.10 Procedure for reporting accidents (including vehicles), incidents and near misses

All accidents /incidents/near misses need to be reported using the "Accidents/Incidents/Near Miss" form (Refer to WHS&W Form 7). Details and causes of the accidents/ incidents/near misses, and the preventative steps need to be included. For accidents and incidents involving vehicles/ plant/equipment use the WHSW – Vehicles/Plant/Equipment Accident Report form (Refer to WHS&W Form 8). Accidents where medication is prescribed by a medical practitioner need to be reported to Worksafe NT. (Take out)

3.3.11 Notifiable Incidents

The *Work Health and Safety Act* (The Act) requires NT WorkSafe to be notified of certain 'notifiable incidents'. The Act requires:

- immediate notification of a 'notifiable incident' to NT WorkSafe
- preservation of the incident site until an NT WorkSafe arrives or directs otherwise

A 'notifiable incident' relating to an employee, contractor or member of the public occurring in the workplace is:

- the death of a person,
- a 'serious injury or illness i.e. requiring treatment by a medical practitioner or
- a 'dangerous incident' i.e.
 - an uncontrolled escape, spillage or leakage of a substance
 - the collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorized for use in accordance with the Regulations
 - an uncontrolled escape of gas or steam
 - an uncontrolled implosion, explosion or fire
 - electric shock

- the fall or release from a height of any plant, substance or thing
- the collapse, overturning, failure or malfunction of, or damage to any plant that is required to be authorized for use in accordance with the regulations
- the collapse or partial collapse of a structure
- the collapse or failure of an excavation or of any shoring supporting an excavation

Notification of NT WorkSafe

When a 'notifiable incident occurs an employee must immediately contact their Supervisor/ Manager. The Supervisor/Manager must immediately notify NT WorkSafe on 1800 019 115. In each event Council's Accident/Incident form needs to be completed. Council's WHS&W Officer must be informed as soon as possible.

Site preservation

So far as is reasonably practicable the site where an incident has occurred must not be disturbed until NT WorkSafe arrives or directs otherwise. This is to ensure that any evidence that may assist NT WorkSafe is preserved.

An incident site may be disturbed:

- to assist an injured person
- to remove a deceased person
- to make the site safe or to minimise the risk of a further notifiable incident or
- to facilitate a police investigation

3.3.12 Emergency Response Procedure

- If the evacuation alarm sounds or if the order to evacuate is given by a warden, everyone should evacuate the building or site and proceed to designated assembly area
- In the case of an emergency where the alarm does not sound (i.e. bomb threat) the person discovering the emergency should immediately notify a warden and follow their instructions. If no warden is available, contact the most senior employee available
- Wardens should operate as per Council's "Emergency and Evacuation Checklist" (Refer to WHS&W Form 9)
- Evacuation should occur via the routes specified on the evacuation floor plan unless that route is deemed unsafe. Wardens direct to alternative routes
- Visitors should be assisted to exit safely
- Chief Warden must complete "Emergency and Evacuation Checklist" during and after an emergency incident or an organised safety drill
- The Worksafe Committee identifies possible emergency events and reviews them as site conditions change. This includes the Bomb Threat checklist. (Refer to WHS&W Form 10)

3.3.13 Workers Compensation, Return to Work and Rehabilitation

If a work-related injury or illness occurs, the employee needs to fill out Council's "Accident, Incident, Near Miss" form (Refer to WHS&W Form 7) and a "Workers' Compensation" form.

Before a claim can be accepted it needs to be approved by Council's insurer

An employee needs to be adequately supported if they suffer a work-related injury or illness.

This includes, for approved cases, provision of medical assistance, paid time off work and/or return to work and rehabilitation programs. Return to work plans are developed between the employee, their treating doctor, their supervisor/manager and the Council's insurer.

Council is committed to the following with respect to final outcomes of injury / illness, as appropriate

- the employee returns to their pre-injury job
- the employee returns to a modified version of their pre-injury job
- the employee is redeployed to a different job
- the employee is redeployed to a suitable position in a different organisation.

These are listed in priority order, and as required, Council through our insurer may engage a rehabilitation provider to assist.

3.3.14 Council Contractors and Visitors

Major Works – \$100,000 plus

- As part of the tender documentation process Contractors must complete Council's "Contractors' WHS&W Declaration form" (Refer to WHS&W Form 11) and provide evidence as listed on the form
- Nominated contractor safety officer must attend Council WHSW Induction program based on Council's WHS&W PSD
- Relevant Council staff must also attend contractor site induction program to enable them to enter the construction site
- Contractor must fill out an "WHSW - Risk Assessment Form" (Refer to WHS&W Form 4) prior to commencement of major work tasks which will be assessed by Council's responsible officer and WHS&W Officer
- "Accidents/ Incidents/Near Misses" reported to Council's responsible officer via appropriate contractor form, which would be forwarded to Council's WHSW Officer
- Council must conduct periodic site inspections including checking WHSW records

Minor Works up to \$100,000 and Maintenance Work

- Contractor must complete Council's "WHSW – Contractors' WHS&W Declaration form" (Refer to form 11) every financial year and provide evidence as listed on the form.

Visitors including Contractors (Civic Centre and Depot)

- Must enter Council via authorised entry point – At Depot if office is unattended go to store
- Must have a designated Council employee to take responsibility for them and accompany them wherever practicable
- Must have Council's evacuation procedures explained to them by counter staff or designated Council employee
- Must sign Visitors' Register which includes agreeing to abide by Council's evacuation procedures (Refer to WHS&W Form 12)
- Must wear Council's visitor's badge or contractors badge, as appropriate, and appropriate PPE's

All Council employees who are visiting another Council worksite must have prior approval from both their own supervisor and the supervisor of the employee with whom they wish to meet. Appointments for Depot and Waste Management Facility employees need to be arranged by their supervisor/manager.

3.3.15 Vaccinations

Council aims to protect and prevent an employee from contracting diseases at the workplace. An employee therefore has the opportunity to be vaccinated against workplace diseases as determined by Council. An employee requesting a vaccination apart from influenza must complete Council's "Vaccination Approval Form" (Refer to WHS&W Form 13).

An employee requesting an influenza vaccination must complete Council's "Employee Consent Form for Influenza Vaccination". (Refer to WHS&W Form 14).

4. FAILURE TO COMPLY

Failure to comply with these procedures may result in disciplinary action and the recovery of any costs incurred by Council.

5. LEGISLATION BASE

- Workplace Health and Safety Act
- Workers Rehabilitation and Compensation Act
- Workplace Health and Safety Regulations
- Workers Rehabilitation and Compensation Regulations
- Local Government Act
- Workplace Relations Act
- Alice Springs Town Council Enterprise Agreement

6. ASSOCIATED FORMS

- The forms are an integral part of Council's business practices provide documentary evidence of staff compliance with Procedural Statements and Directives (PSD's)
- Completed forms are often source documents for data entry into business systems, and are part of Council's Record Keeping
- The forms listed below are directly related to the WHS&W PSD's.

Title	Location	Responsible Officer	Min Retention Period
1. WHS&W - Grievance Dispute Notification	Intranet	WHS&W Officer	7 Years
2. WHS&W – Job Safety & Environmental Analysis Worksheet	Intranet	WHS&W Officer	7 Years
3. WHS&W – Safe Operating Procedures template	Intranet	WHS&W Officer	7 Years
4. WHS&W – Risk Assessment form	Intranet	WHS&W Officer	7 Years
5. WHS&W - Safety Workplace Checklists - Depot, Library, Civic Centre	Intranet	WHS&W Officer	7 Years
6. WHS&W - Hazard Identification and Control Form	Intranet	WHS&W Officer	7 Years
7. WHS&W – Accident, Incident and Near Miss Form	Intranet	WHS&W Officer	7 Years
8. WHS&W – Vehicles/Plant/Equipment Accident/ Incident Report	Intranet	WHS&W Officer	7 Years
9. WHS&W – Emergency Evacuation Checklist	Intranet	WHS&W Officer	7 Years
10. WHS&W - Bomb Threat Checklist	Intranet	WHS&W Officer	7 Years
11 WHS&W – Contractors' WHS&W Declaration Form	Intranet	WHS&W Officer	7 Years
12. WHS&W – Visitors' Register	Intranet	WHS&W Officer	7 Years
13. WHS&W – Vaccination Approval Form	Intranet	WHS&W Officer	7 Years
14. WHS&W - Employee Consent Form for Influenza Vaccination.	Intranet	WHS&W Officer	7 Years
15. WHS&W – Unfit for Duty form	Intranet	WHS&W Officer	7 Years

