



14th September 2011

A: Wesley Business Centre, 4 Stirling Street, BUNBURY WA 6230 | T: (08) 9792 4451 | F: (08) 9721 6208

Hi Kathy!

## The New 'Model Work Health Safety Act' is Coming!

Rob has been busy delivering a series of presentations on the **Model Act** as far away as Northam in recent weeks.

One of our major concerns at the moment is how this new legislation is seemingly '**creeping up**' on us without a lot of media coverage.

Whilst it is certainly true that if you are doing things right under the current State OSH Act you won't be doing it wrong under the **Model Act** as there are some quite different definitions and focuses in the new legislation for all Employers.

From January 2012 Western Australia, along with every other State and Territory, will adopt - and adapt - the **Model Work Health Safety Act** and Regulations. Whilst intrinsically many elements of the current State OSH are retained, the **Model Act** represents a significant departure from a number of understandings that have been previously embraced in the State Act.

The Following overview and background to the **Model Act** are provided as a means of ascertaining some of the likely impacts that the Model legislation may have on your OSH processes and risk management.

### Objectives of the Model Act.

Achieve more effective health and safety protection by establishing:

1. The development of uniform, equitable and effective safety standards and protections for all Australian workers;
2. The compliance and regulatory burdens for employers with operations in more than

- one jurisdiction;
3. Efficiencies for Governments in the provision of Work Health and Safety regulatory and support services, and
  4. Significant and continual reductions in the incidence of death, injury and disease in the workplace.

The Model Act embraces new terms like the '**PCBU**' or '**Person conducting a business or undertaking**' and the definitions of whom and what these are deliberately vague. Gone also is the '**Employee**' under the much broader term of '**Worker**' not to mention volunteers, including work experience staff and visitors to site.

You also now have a primary responsibility for ensuring health and safety within your workplace as opposed to a general duty of care.

If you aren't yet coming to grips with this new legislation and undertaking a review of your current OHS policies etc then you need to action this as a priority over the next few weeks.

DON'T PANIC but do call us for assistance and further information

Kind Regards

**The Workwise Team**

### **Policy and Procedures**

***Does your business have a current set of customised Policy and Procedures which support your workplace??  
Call us now for further information on how to obtain a current set of Foundation Policy and Procedures.***

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**Map Where you are at on our 'Best Practice Model'.**

**By now you should have received information about the first four stages of the model.**

**1. Time and Wages Compliance Audits**

Are you confident that your payroll practices are compliant and in line with the applicable Modern or State Awards??

**2. Employment Documentation**

Do you have a clearly written and compliant employment agreement which stipulates your employment arrangements and provides you with protections in relation to confidentiality and restraint of trade - to name but two areas.

**3. Policy and Procedures**

From a risk management perspective we encourage you to take a pro-active step and reassure

yourself that there are no non compliant or discriminatory practices within your business.

[4. Job Description Forms](#)

A good JDF will illustrate clear performance and guidelines for that 'position' which should then eliminate issues within your workplace in regards to Performance and responsibility of any one of your employees within your business.

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**Time is running out -have you renewed your membership???**

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Have you forgotten to advise us of any changes - please let us know by emailing [clientliaison@workwiseby.com.au](mailto:clientliaison@workwiseby.com.au) so that we can update our records.

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## **Seminars**

[Bunbury](#)

### **Due to Popular Demand - 4th seminar**

Topic : The Model 'Work Health & Safety Act' (WHS)

Where: Small Business Centre

177 Spencer Street Bunbury

When: Wednesday 19th October 2011 - 6pm start

**Please call [The Small Business Centre on 9791 2666](tel:97912666) for further details**

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