

LA TROBE UNIVERSITY

Guidelines for University Subsidiary Companies -

Compliance with Occupational Health and Safety Requirements

PURPOSE

The purpose of this document is to provide guidelines to University subsidiary companies to ensure their occupational health and safety practices are consistent with current standards and that appropriate legislative requirements are complied with.

This document also details the level of support and assistance the University can provide to subsidiary companies.

RESPONSIBILITIES

Occupational Health and Safety

According to the Occupational Health and Safety Act 1985, an employer is defined to mean a person who employs one or more other persons under contracts of employment or under contracts of training. Where an individual has a contract of employment with a subsidiary company, that company will be deemed to be the employer under the Act.

The Act places obligations on employers with respect to health and safety. According to Section 21, employers are required to "... provide and maintain so far as is practicable for employees a working environment that is safe and without risks to health". The Act also covers other employer duties with respect to the:

- Formation of a health and safety committee
- Formation of designated work groups and consultation with elected health and safety representatives

In addition to the duties above, the Act is also the enabling legislation for a number of occupational health and safety regulations, which prescribe specific responsibilities for employers and for codes of practice to provide guidance in controlling risks in the workplace. Other legislation may also apply to certain activities undertaken by employers.

Rehabilitation and return to Work

The Accident Compensation Act 1985 requires employers to have:

- An occupational rehabilitation program - a written outline of the way injuries are managed in the workplace
- An individual return to work plan for injured workers - a written action plan to keep an injured worker at work or get them back to work after an injury
- A risk management program - a written outline of the steps the employer will take after an injury has occurred to reduce the risk of that injury occurring again

If the annual payroll is more than \$1 million, an employer must:

- Establish and maintain both a risk management and an occupational rehabilitation program, at all times; and
- Prepare a return to work plan for an injured worker who has no current work capacity for 20 or more calendar days.

If the payroll is \$1 million or less, an employer must:

- Establish and maintain both a risk management and occupational rehabilitation program, where there is a work-related injury at your workplace and your injured worker has no current work capacity for 20 or more calendar days.

The University is committed to effective rehabilitation of injured employees and has developed a policy with the aim of establishing a comprehensive integrated approach to rehabilitation. The OH&S section provides guidance and professional advice to ensure that an injury or illness will have as little effect as possible on an employee's work and/or home environment.

For more information or to arrange rehabilitation, contact the Occupational Health and Safety Section.

Workers' Compensation Insurance

The Accident Compensation Act 1985 requires employers to have a WorkCover policy if they have reason to believe that they will be liable to pay more than \$7,500 remuneration in Victoria during the year, or their annual remuneration is \$7,500 or less and they employ any apprentices or trainees.

A policy can be arranged through any agent approved by the Victorian WorkCover Authority. The Occupational Health and Safety Section can provide advice and assistance in arranging a policy and can assist in the gathering of information for remuneration reporting purposes if the University provides payroll services.

Other Benefits and Services

The University provides additional benefits and services to employees of the University and its subsidiary companies over and above those required by legislation. For example, the University has separate journey insurance cover for people who are injured traveling to or from work and are not covered by workers' compensation or transport accident insurance. The University has also arranged a voluntary group healthcare plan and provides access to an employee assistance program.

OH&S AT LA TROBE UNIVERSITY

The University's Occupational Health and Safety Section is located within the Office of Director (Human & Financial Resources), and provides advice and assistance to management, employees and students on health and safety issues. The OH&S Section also manages the University's workers' compensation arrangements and provides occupational rehabilitation services for injured employees.

Information about the University occupational health and safety program can be found at:

<http://www.latrobe.edu.au/ohs/>

SUMMARY

- The subsidiary companies' directors and officers are responsible for all occupational health and safety matters under their management and control
- Subsidiary companies must develop specific OH&S policies, procedures and management systems which are applicable to their operations. The University's policies, procedures and systems may be used as a guide.
- Subsidiary companies are required to hold a separate workers' compensation policy if their total remuneration exceeds or is expected to exceed \$7,500 in the current year or if they employ apprentices or trainees.
- Subsidiary companies with an annual payroll of more than \$1 million must establish and maintain at all times a risk management and an occupational rehabilitation program. Such companies must also prepare a return to work plan for an injured worker who has no current work capacity for 20 or more calendar days.
- Subsidiary companies with an annual payroll of \$1 million or less must establish and maintain both a risk management and occupational rehabilitation program where there is a work-related injury at the workplace and the injured worker has no current work capacity for 20 or more calendar days.
- The University's Occupational Health and Safety Section can provide advice and assistance on all OH&S, workers compensation and rehabilitation related matters. In some cases, a fee for service may apply.

RECOMMENDED ACTION LIST

- Review the workplace (in consultation with employees) and consider forming one or more designated work groups.
- Convene an occupational health and safety committee, involving representatives from management and employees.
- Ensure that the committee meets regularly and is adequately resourced
- Develop policies, procedures and working rules for all hazardous processes and activities undertaken by the company.
- Arrange appropriate training and instruction for all employees undertaking hazardous processes and activities
- Arrange a regular inspection and audit program. An independent audit should be performed at least annually.
- Review workers' compensation arrangements to ensure appropriate coverage and arrangements are in place and develop an occupational rehabilitation program.

Further information about an employer's occupational health and safety obligations can be found on the Victorian WorkCover Authority's website: www.workcover.vic.gov.au

Occupational Health and Safety Section
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