

29 September 2016

NAT 020/16

In this Member Advice

- October is National Safe Work Month - Get Involved! Events are scheduled around the country. If you organise something in your workplace, your business could win a **prize to the value of \$5,000**.
- New Chemical laws are effective from 1 January 2017 – Now is the time to Act.
- Workers' Compensation: A lot has changed in recent years, have you kept up to date? We provide reference to earlier Compliance Advices and share information about upcoming training.
- Have your say: public comment is either underway, or happening soon, in relation to:
 - *NSW: Implementation of proposed self-insurance licencing framework; and Statutory review into the Work Health and Safety Act*
 - *SA: Inquiry into the Return to Work Act*
 - *National: Work related diving*
- We provide you with links to the safety and workers' compensation submissions that have been made on your behalf this year.

October is National Safe Work Month

Ai Group is encouraging members to get involved in National Safe Work Month.

Safety Regulators in all states and territories are participating, with a range of events being run across Australia.

To find out what is happening in your jurisdiction, click on the links below:

[SafeWork NSW - Safe Work Month](#)

[Worksafe Victoria - Health and Safety Month](#)

[Workplace Health and Safety Queensland – SafeWork Month](#)

[WorkSafe WA - Safe Work October](#)

[SafeWork SA - Safe Work Month](#)

[WorkSafe Tasmania - WorkSafe Month](#)

[WorkSafe ACT - WorkSafe ACT - Healthier work ACT](#)

[NT WorkSafe - Safe Work Month](#)

[Comcare - Comcare](#)

The [National Safe Work Month Workplace Participation Reward](#), run by Safe Work Australia, encourages businesses to think of new and creative ways to build awareness of health and safety in their workplace during National Safe Work Month.

In return, businesses can win a prize worth \$5000 and the opportunity to showcase their safety story nationally.

Activities need to occur in October, and nominations must be completed online by 11pm on 7 November 2016.

The Workplace Participation Reward 2016 will be judged on four main criteria: spirit; participation; creativity; and sustainability.

Watch a Safe Work Month message from the Chair of Safe Work Australia by clicking [here](#).

During October, [visit](#) the Safe Work Australia website to watch the Virtual Seminar Series; you can also access the previous seminars at this location now. Ai Group's Mark Goodsell will be participating in the Fatigue seminar.

New Chemical Laws effective 1 January 2017

Ai Group has previously advised members of the new work health and safety requirements for chemicals that become effective on 1 January 2017, following a five year transition period. (Compliance Advices 006/16, March 2016 and 016/16, July 2016).

In brief the new laws require that chemical labels and safety data sheets (SDS) are compliant with the GHS (globally harmonised system for classifying and labelling).

The new requirements will be mandatory in all jurisdictions other than Western Australia, Victoria and the ACT. In these three jurisdictions, GHS labelling and SDS are an acceptable alternative to the current legislative requirements.

Western Australia has not yet adopted the Model WHS Laws; Victoria will not be adopting the Model WHS Laws, but the current review of their OHS Regulations indicates that the GHS will be a feature of those regulations from 1 July 2017; and the ACT did not adopt the chemical chapters of the laws, continuing to operate under their Dangerous Goods legislation.

In order to reduce the impact on workplaces that are end-users of chemicals, Safe Work Australia members have agreed that the labelling requirements do not apply if the chemical was supplied before 1 January 2017 and was correctly labelled according to previous legislation.

Amendments to the regulations have been drafted, but have not yet been inserted into the Model WHS laws, or the laws of each jurisdiction.

In spite of this, we can advise the following status for each jurisdiction:

- Guidance documents on the websites of [South Australia](#), [New South Wales](#) and [Comcare](#) have been amended to clearly advise that there is “no need to relabel if you received the products before 1 January 2017”.

- Queensland is progressing with local approvals to introduce this exemption; updated information will be provided at www.worksafe.qld.gov.au.
- The NT has only recently elected a new government which is yet to be fully briefed on the matter; they have not advised their intentions regarding the relabelling of current stock.
- Tasmania references the NSW and Comcare guidance, indicating they have also committed to the exemption.

In the jurisdictions where these new requirements will be mandatory, it is important to make sure that any new deliveries of chemicals received on or after 1 January 2017 are labelled according to the GHS and accompanied by a compliant Safety Data Sheet.

It would also be valuable to consider how you will differentiate existing chemicals from new deliveries, if you your current products have non-GHS labels.

Information, instruction and training should be provided to employees and contractors who are working with chemicals to ensure that they understand how to use the information on the labels and SDS to protect their health and safety.

To assist members to understand the GHS, Ai Group is hosting free briefings in New South Wales and Queensland where the work health and safety regulators will outline their expectations in relation to chemicals.

For further information, or to register, click on the relevant link below.

[North Sydney – 20 October 2016; 9am to 10am](#)

[North Sydney – 27 October 2016; 9am to 10am](#)

[Brisbane – TBC – express interest](#)

Workers' Compensation

A lot has changed in workers' compensation in recent years.

- New South Wales made significant changes to their legislation in 2012, with some further changes in 2015. See Compliance Advices 001/12, July 2012 and 014/15, August 2015.
- Queensland had legislative changes in 2013, and again in 2015. See Compliance Advices 028/13, November 2013 and 014/15, August 2015.
- A completely new Act was introduced in South Australia effective 1 July 2015. See Compliance Advice 004/15, February 2015.
- South Australia and New South Wales had major changes to their premium formula with effect from 1 July 2015; QLD had some minor changes. See Compliance Advice 009/15, July 2015.

In addition, over the last five years, a range of legal cases have shed light on the interpretation of various parts of the legislation, such as: psychological injuries; travelling for the purpose of work; injuries during authorised recesses; and injuries at social functions.

If your organisation operates in more than one workers' compensation jurisdiction, it could be a good time to attend Ai Group's workers' compensation training which covers requirements in Victoria, New South Wales, South Australia and Queensland. [Click here for further information about training dates in November 2016.](#)

Public Comment

The following public comment processes are either underway or expected in the near future. If you wish to contribute to Ai Group's submission on these topics, contact [Tracey Browne](#) 0438 207 799.

New South Wales:

[Review of the implementation of the proposed self-insurance licencing framework.](#)

Comment closes 11 November 2016.

Statutory Review of the Work Health and Safety Act. It is expected that a discussion paper will be released in October 2016.

South Australia:

Inquiry into the Return to Work Act 2014

See Compliance Advice 017/16, August 2016.

Comment closes 30 September 2016.

National – Model WHS Laws:

Consultation Regulation Impact Statement on work related diving. See Compliance Advice 019/16, September 2016.

Comment closes on 30 November 2016.

Ai Group submissions

Below is a list of submissions Ai Group has made in relation to safety and workers' compensation topics during 2016. Click on the link to access the submission.

Sep-2016	NSW First Review of Workers' Compensation Scheme
Sep-2016	Regulatory Impact Statement for proposed OHS Regulations 2017 and Equipment (Public Safety) Regulations 2017
Aug-2016	Work Health and Safety Regulations for Western Australia Discussion Paper
Aug-2016	Independent Review of OHS Compliance and Enforcement in Victoria – Discussion Paper
May-2016	Submission to Senate Education and Employment Legislation Committee Inquiry: Safety, Rehabilitation and Compensation Amendment (Improving the Comcare Scheme) Bill 2015
Apr-2016	Inquiry into Work Health and Safety (Industrial Manslaughter) Amendment Bill 2015
Apr-2016	Submission to NSW State Insurance Regulatory Authority: Regulation of Pre-Injury Average Weekly Earnings - PIAWE Discussion Paper
Apr-2016	Submission to NSW State Insurance Regulatory Authority: New Return to Work Assistance Discussion Paper
Mar-2016	Submission to Safe Work Australia: Consultation Regulation Impact Statement Managing risks associated with lead in the workplace

Asbestos Conference

The Asbestos Safety and Eradication Agency will host their third International Conference in Adelaide from 13 to 15 November 2016.



For more information:
www.asbestossafety.gov.au

Do you require assistance to manage Work Health and Safety or Workers' Compensation issues in your Business?

Contact Ai Group's Workplace Advice Line on 1300 55 66 77.

For information about our safety and workers' compensation consulting and training services, click on the links below or give us a call:

[Consulting Services](#)

Trinette Jaeschke
0400 282 477

[Training and Events](#)

Seema Khatri
0428 907 838

A handwritten signature in black ink, appearing to read 'Tracey Browne'.

Tracey Browne
Manager – National Safety & Workers' Compensation Policy and Membership Services