



Safe Work Australia

November 2023 | Issue 5

*Welcoming Marie Boland
Safe Work Australia's
new CEO*

*Do you know your WHS
duties in construction?*

*Four WHS principles
everyone needs to know*

New national data released

Quarterly

News Update

KEEPING THE NEXT GENERATION OF WORKERS SAFE

*Recommendation to prohibit the use of
engineered stone*



WELCOME TO THE SAFE WORK AUSTRALIA QUARTERLY UPDATE

In this issue we welcome our new CEO Marie Boland, look at why we recommended a prohibition on the use of all engineered stone, irrespective of crystalline silica content and dive into the latest national work health and safety statistics.



Subscribe to Safe Work Australia News to receive our quarterly newsletter or get email updates across a range of topics including work health and safety, workers' compensation, data and statistics, model WHS laws and codes of practice.

In this ISSUE

Safe Work Australia | Quarterly News Update

CEO column — pg. 4 Feature — pg. 12



Welcoming Marie Boland, Safe Work Australia's new CEO

"I consider it an immense privilege to lead a unique agency with the potential to make a real difference to workers and businesses across Australia."



Four WHS principles everyone needs to know

Do you know the key principles that apply to all work health and safety duties under the model WHS Act?

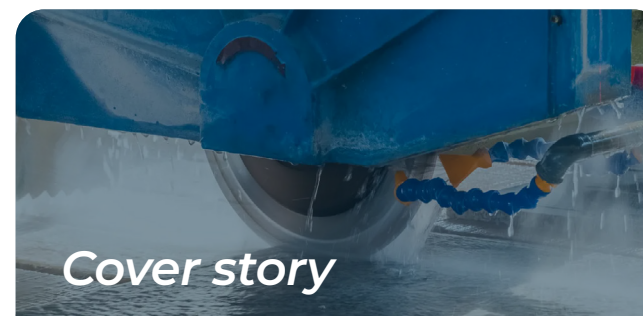
Story — pg.8 Story — pg.9

2022-23 Annual report

The Safe Work Australia 2022-23 annual report was tabled in Parliament on 17 October 2023.

Tackling emerging WHS challenges

Learn how Safe Work Australia is innovating to address some of these emerging challenges and ensure safe and healthy work for all.



Cover story

Recommendation to prohibit the use of engineered stone

In August this year, Safe Work Australia delivered a report to WHS ministers that recommended a prohibition on the use of all engineered stone, irrespective of crystalline silica content.

page 6

Story — pg.10

How your voice makes a difference

As the national policy body for work health and safety and workers' compensation, Safe Work Australia's policies affect the lives of every working Australian and their families.

Story — pg.11

Do you know your WHS duties in construction?

The construction industry is one of the industries where Australian workers face the highest rates of harm.

Data highlight — pg.14

New national data released

Story — pg.16

National Safe Work Month 2023 - Wrap up!

CEO column

I am very happy to have commenced this month as the new Chief Executive Officer of Safe Work Australia. I consider it an immense privilege to lead a unique agency with the potential to make a real difference to workers and businesses across Australia.

As I arrived in Canberra in November, I found myself remembering that I was in the public gallery listening to the Safe Work Australia Bill, which established the agency, being debated in the Senate in 2009.

Of course, this is not my first time as a Safe Work Australia Member. I had the opportunity to serve as the Member representing South Australia back in 2015. I also led the 2018 National Review of the model Work Health and Safety laws. During that time, I consulted closely not only with our Members but with a range of stakeholders across the WHS system.

More recently I conducted a review of the Office of the Federal Safety Commissioner and I have also reviewed the conduct of ACT work health and safety prosecutions, and the South Australian local government sector’s work health and safety management system.

These experiences have given me significant insights into the operation of the model WHS framework.

I place a high value on consultation and consider myself a good listener, and I know that we will need to tackle the big challenges together. I look forward to working with everyone involved in progressing WHS and workers’ compensation policy outcomes and learning from your wisdom, experience and skills.

As I step into the role as Safe Work Australia CEO, I acknowledge the important work that has been managed and facilitated by my predecessor, Michelle Baxter.

This includes protecting workers from exposure to hazardous substances, in particular respirable crystalline silica. Safe Work Australia is continuing to enhance the model Work Health and Safety framework in response to psychosocial hazards and the changing nature of work. We are focussing on industries and high risk work where we know too many people are still experiencing work-related injuries and illness and working towards solutions that will support prevention. In the workers’ compensation space, we are leading national initiatives to help workers get back to work and recover from work-related injury and illness. We are gathering and analysing national data and undertaking research to gain new insights that inform evidence-based policy, and much more.

I know that the staff at Safe Work Australia, and the organisations and people we work with, are all deeply committed to bettering the working lives of all Australians, and I look forward to working together with you all over the next five years.



Marie Boland
CEO Safe Work Australia



“
I place a high value on consultation and consider myself a good listener, and I know that we will need to tackle the big challenges together.
”

RECOMMENDATION TO PROHIBIT THE USE OF ENGINEERED STONE

KEEPING THE NEXT GENERATION OF WORKERS SAFE

In August this year, Safe Work Australia delivered a report to WHS ministers that recommended a prohibition on the use of all engineered stone, irrespective of crystalline silica content.



Dr Rebecca Newton, Branch Manager, Chemicals and Occupational Hygiene Policy, explains why.

“

We've made this recommendation based on independent economic impact analysis, a review of the scientific evidence and feedback from a range of stakeholders, including medical professionals, workers, persons conducting a business or undertaking (PCBUs), employer and worker representatives, WHS professionals, academics, government agencies, industry and peak bodies.

The cost to industry, while real and relevant, cannot outweigh the cost to Australian workers, their families and the broader community that results from exposure to respirable crystalline silica from engineered stone.

The only way to ensure that another generation of Australian workers do not contract silicosis from work with engineered stone is to prohibit its use, regardless of silica content.

”



Australian workers are developing silicosis from working with engineered stone

Cases of silicosis in engineered stone workers have risen substantially since the first case was diagnosed in 2015. While silicosis cases have been found in workers across a range of industries, a disproportionate number of silicosis diagnoses are in engineered stone workers.

“It is estimated that around 25% of stonemasons and engineered stone workers screened through health screening programs received a probable or confirmed diagnosis of silicosis due to workplace exposure to silica dust,” Dr Newton explains.

“Further, we believe that this is an underestimate as more screening and time is needed to determine the definite size of the problem.”

Engineered stone workers are getting sicker, faster

Compared to workers exposed to silica from other sources, people who work with engineered stone are developing silicosis after a shorter duration of exposure, and are experiencing faster disease progression and higher mortality.

There is no evidence to support a ‘safe’ level of silica in engineered stone

Our report considered a prohibition on the use of engineered stone containing 40% or more crystalline silica but did not recommend this option because:

- there is no scientific evidence of a ‘safe’ threshold of crystalline silica in engineered stone.
- the risks posed by materials used in place of crystalline silica in lower crystalline silica engineered stone are largely unknown.
- permitting work with lower crystalline silica engineered stone may create an incorrect perception that these products are ‘safe’ when there is no evidence to support this, and
- it could inadvertently result in greater non-compliance with WHS laws.

What now?

Commonwealth, state and territory WHS ministers will meet next month to agree on their preferred option. Safe Work Australia will then work to implement that decision, including amendments to the model WHS Regulations, if required.

We encourage PCBUs and workers to stay up to date with information from Safe Work Australia and their WHS regulator about changes to requirements under the model WHS laws relating to silica.

Read the Decision Regulation Impact Statement: Prohibition on the use of engineered stone.



Model Code of Practice - uncontrolled processing of engineered stone products amendment

The [model Code of Practice: Managing the risks of respirable crystalline silica from engineered stone in the workplace](#) was updated in November to reflect the [model Work Health and Safety Regulations \(Engineered Stone\) Amendment 2023](#).

The amendment introduced an express prohibition on the uncontrolled processing of engineered stone products, and provides a definition for engineered stone.

Engineered stone:



Often has a high crystalline silica content, resulting in the generation of more dust containing silica when processed compared to natural stone.



Is processed more easily than natural stone, meaning more stone can be processed in one shift leading to higher exposure to dust, and a less skilled workforce can be used.



Produces silica dust with different physical and chemical properties compared to that produced from natural stone, including a greater proportion of very small (nanoscale) particles which can penetrate deeper into the lungs.



Also contains resins, metals, amorphous silica, and pigments, which may contribute to the toxic effects of engineered stone dust, either alone or by exacerbating the effects of crystalline silica.

TACKLING EMERGING WHS CHALLENGES



The [Australian Work Health and Safety Strategy 2023-2033](#) identifies emerging issues that Australia's WHS system will face over the next decade. Learn how Safe Work Australia is innovating to address some of these emerging challenges and ensure safe and healthy work for all.

New types of work

The nature of work is changing, along with the relationship between workers and PCBU's. New modes of employment, such as the gig economy, are growing. Many people now have more than one job. Complex work arrangements involving multiple duty holders and shared WHS duties are becoming more common. Certain working conditions and arrangements resulting from changing ways of work can also compound WHS risks, for example, by increasing exposure to psychosocial hazards.

Increasing understanding of WHS roles and responsibilities, and how these apply in different work arrangements, is key to ensuring workers are not exposed to new or additional WHS risks.

Deliver yourself home safely campaign

The [Deliver yourself home safely](#) campaign ran from May to September 2023. It targeted food delivery workers and provided practical information and key contact details to help influence positive WHS attitudes and behaviours.

The campaign communicated in 7 languages – Mandarin, Punjabi, Nepali, Vietnamese, Hindi and Urdu as well as in English. Information was provided on key topics including insurance, worker WHS rights and duties, managing WHS risks, and workers' compensation.



Clean Air. Clear Lungs. – Be Silica Smart

The [Clean Air. Clear Lungs. – Be Silica Smart campaign](#), launched this month, is targeting workers and PCBU's in industries where workers may be exposed to silica dust, including construction, manufacturing, tunnelling, demolition, mining, quarrying and stonemasonry.

The campaign website is available in English and 5 other languages – Chinese, Arabic, Vietnamese, Korean, and Hazaragi, in line with demographic data about workers in these industries.

The campaign is also supported by in-language social media and online advertising, designed to reach audiences not usually engaged with Safe Work Australia.

Workforce demographic shifts

As Australia's population and economy continues to change, new WHS risks are emerging. One of these economic shifts is labour shortages leading to an increase in migrant workers from culturally and linguistically diverse (CALD) backgrounds.

Workers from CALD backgrounds face increased WHS vulnerability, which means they are at greater risk of work-related illness, injury or death than others performing the same work in the same environment. CALD and migrant workers are also over-represented in high-risk industries and occupations, such as agriculture, construction and health care and social assistance. To ensure the safety of workers, PCBU's must be proactive in addressing barriers to health and safety.

With this in mind, Safe Work Australia is developing education and communication strategies to keep workers from CALD backgrounds safe, in particular targeting workers with low English language proficiency and their employers.

While we are a small agency, our work affects the lives of more than 13.5 million working Australians, and the Safe Work Australia 2022-23 annual report showcases our key achievements over the financial year.

This included delivering the new 10-year Australian Work Health and Safety Strategy, publishing an innovative report exploring the economic value created by removing work-related injury and illness, and an awareness campaign to reduce stigma associated with workers' compensation.

Read our annual report to learn more about what we achieved.

2022-23 ANNUAL REPORT

READ OUR ANNUAL REPORT



HOW YOUR VOICE MAKES A DIFFERENCE

As the national policy body for work health and safety and workers' compensation, Safe Work Australia's work affects the lives of every working Australian and their families.

That's why consultation is an important part of our policy development process.

Consultation ensures Safe Work Australia receives feedback and ideas from the broad Australian community - including workers, PCBUs, WHS professionals, academics, governments and other stakeholders.

It means we hear and consider views from those affected by the policies we develop and ensures there is a national understanding of the real-world issues and impacts of policy options.

Consultation occurs through a number of channels - on an ongoing basis through Safe Work Australia's tripartite membership, through engagement with stakeholders, as well as public consultations on our online consultation platform.

In 2023 public consultations have taken place on issues including a prohibition on the use of engineered stone, a workplace exposure standard for diesel particulate matter, the use and regulation of non-threshold genotoxic carcinogens, and options to improve the WHS incident notification framework.

Public consultations are promoted on our website, social media and subscriber emails. Keep an eye out for future opportunities to have your say, and contribute to developing and improving national policy on work health and safety and workers' compensation.



“ Consultation was crucial in informing our recent report to work health and safety ministers on engineered stone. Through consultation, we heard from a wide range of stakeholders and received important evidence that helped us to explore the issues and analyse the potential impacts of policy options. I know from experience, your contributions make a difference, so I really encourage everyone to get involved and have your say.



Dr Megan Downie,
Director, Silica Policy



DO YOU KNOW YOUR WHS DUTIES IN CONSTRUCTION?



In 2022, sadly there were

27 worker fatalities

in the construction industry, accounting for 14% of worker fatalities

The construction industry is one of the industries where Australian workers face the highest rates of harm.

Construction work can expose workers to hazards including asbestos, electrical work, hazardous manual tasks and working at heights. It also takes place under a range of working arrangements.

To help improve work health and safety outcomes, Safe Work Australia has developed the new [‘Know your duties’](#) online tool for the construction industry.

The tool provides information about duties under the model WHS laws, including duties for PCBUs, workers, and people who fall under both roles, such as those who are self-employed.

It is an easy-to-use online resource, where you can explore information about WHS duties, common hazards, and how to manage risks in construction.



We want to hear from you!

The tool is a pilot, share your feedback with us so we can improve it. Click the feedback button at the bottom of each page of the tool.



I'm a manager in a construction company with 150 employees. I use this tool as a resource for myself and recommend it to all our workers as a way to find information on WHS duties, the hazards we face in the construction industry, and how to manage WHS risks. It's all available online, so I can use it both when I'm at my desk or on my phone when I'm out on site.

This is such a great interactive tool for people who work in construction. It's really helpful for finding simple and clear information on duties like incident reporting, emergency plans, first aid, PPE, labour hire and safe design.

The tool also provides information on common WHS hazards we deal with in construction, like outdoor work, noise, scaffolding, electrical work, and demolition work, and the duties that apply when these hazards are present. Because it's interactive, it's easy to find the information you need, and also has links to more detailed guidance in model Codes and other guides.



I am self-employed and often work on large construction projects. Before I used ‘Know your Duties’, I was sometimes unsure about my WHS duties when working as a sub-contractor on a site with multiple other businesses. Using the tool has helped me understand my duties as both a PCBU and a worker, and how to meet these duties.

It has provided me with a straightforward way to find out how to understand and meet my duties under WHS laws as a PCBU and as a worker, giving me more time to focus on my work and how to do it safely.



FOUR WHS PRINCIPLES EVERYONE NEEDS TO KNOW

Do you know the key principles that apply to all work health and safety duties under the model WHS Act?



Principle 2

A person can have more than one duty.

For example, if you are self-employed or an individual contractor you usually have duties as both a PCBU and a worker.



Principle 1
WHS duties are not transferable.

You cannot modify or contract out of your duties.



Principle 4
Management of risks.

As a PCBU you are required to eliminate risks to health and safety so far as is reasonably practicable. If elimination is not reasonably practicable, you must minimise those risks so far as is reasonably practicable.



Principle 3
More than one person can have the same duty.

You and another PCBU can have the same work health and safety duties relating to a particular work activity, or the environment in which the work is taking place. This means you are both responsible for addressing WHS risks.

Duty to consult, cooperate and coordinate with other duty holders

Consulting with other PCBUs will help you work out which duties you share and how you will cooperate and coordinate your activities to manage shared WHS risks.



We're always looking for new ways to support duty holders to understand their obligations and keep workers safe. We've received really positive feedback on these new resources, which provide practical and accessible information to assist PCBUs to understand and apply their duties.



Sinead McHugh, Director,
WHS Framework



A new suite of resources is now available on the Safe Work Australia website exploring the four key principles that apply to WHS duties.

The resources are designed to support all PCBUs, particularly those in small business to understand these important principles and how to apply them.

The fact sheets provide an overview of each of the key principles, as well as the overarching duty to consult, cooperate and coordinate with other duty holders.

The case studies explore how the key principles can apply in practice in different working arrangements, including franchising, outsourcing and in the construction industry.

Learn more about the principles and download the resources from our website – [Principles that apply to work health and safety duties](#).

Industry case studies

Read how the WHS principles and the duty to consult, cooperate and coordinate with other duty holders apply in practice in the following industries:



Franchising

Muhammad's company owns a café franchise and Muhammad is also a worker in the café



Outsourcing

Anton is the owner of a call-answering service company in the outsourcing industry



Construction

Learn how Pickwell Construction and its contractors work together to manage WHS risks while constructing a new private hospital wing



Our latest annual work health and safety and workers' compensation data has been published, providing insights on the state of work health and safety and workers' compensation in Australia.

The [Key Work Health and Safety Statistics report 2023](#) brings together national data from a range of sources to present a snapshot of work-related fatalities, injuries and disease.

While there are encouraging trends, including a 30% decrease in the fatality rate since 2012, the data shows that more must be done to ensure every worker gets home safely.

- Body stressing, falls, slips and trips, and being hit by moving objects remain the cause of most work-related injuries in Australia.
- Vehicle incidents and being hit by moving objects continue to account for most fatalities.
- Work-related mental health conditions are a significant issue, with time off work in these cases more than four times longer than for other injuries.

The report provides an overview of key statistics and trends and is supported by user-friendly interactive data dashboards published on the Safe Work Australia data website – [Our Data. Your Stories.](#)

Through the dashboards, the data can be filtered by industry, occupation, mechanism of injury and more, meaning users can drill down into the data, create their own tables and gain important insights. If you need help, see our step-by-step video and dashboard tool tips or contact our data team.

The data is a valuable resource for governments, industry, businesses and the community, providing important evidence to understand current and emerging issues and support improved policy and practice.



**Our Data.
Your Stories.**



data.safeworkaustralia.gov.au



Key Work Health and Safety Statistics 2023 at a glance



**Work-related
injury fatalities**

195

Worker fatalities



**Work-related
injury and illness**

127,800

serious claims (count)

1.4

deaths per
100,000 workersⁱ



30%

decrease in fatality
rate since 2012

10.3

Incidence rateⁱⁱ
(serious claims per
1,000 workers)

8.0

weeks

Median time lost



Having access to timely, reliable and informative data is crucial to understanding and addressing WHS challenges. The release of the Key Work Health and Safety Statistics 2023 report is another important milestone on our data improvement journey and is the result of significant behind-the-scenes work to make our data more useful and accessible.



Anita Das, Assistant Director,
Data Improvement and Analysis

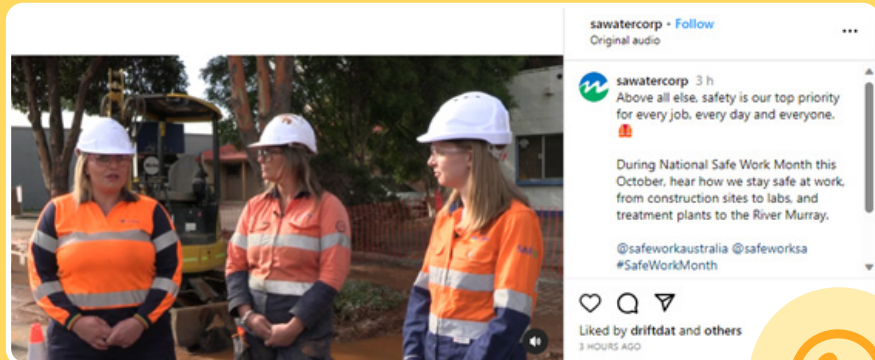
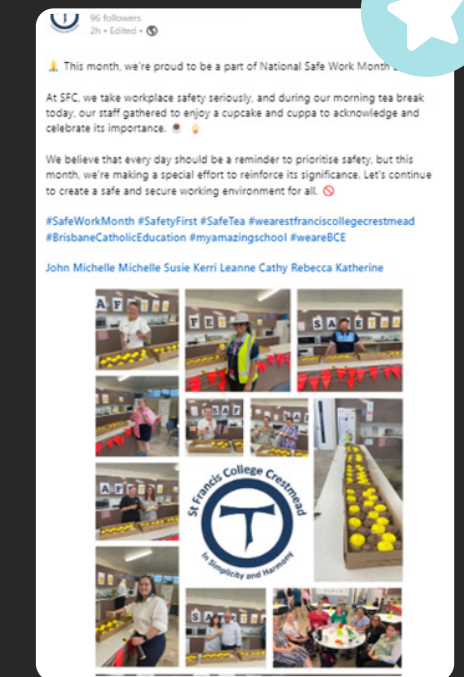
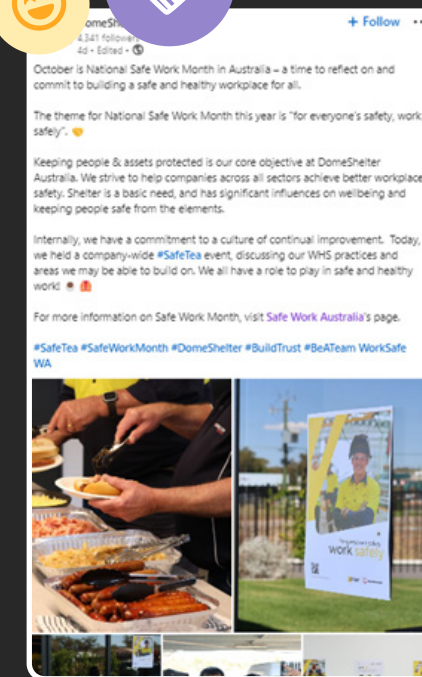
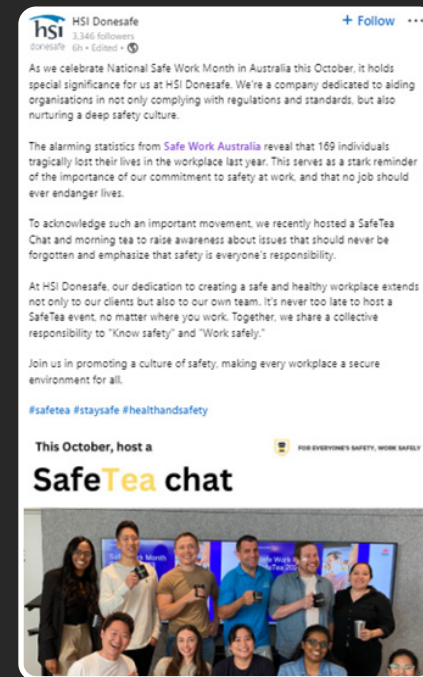
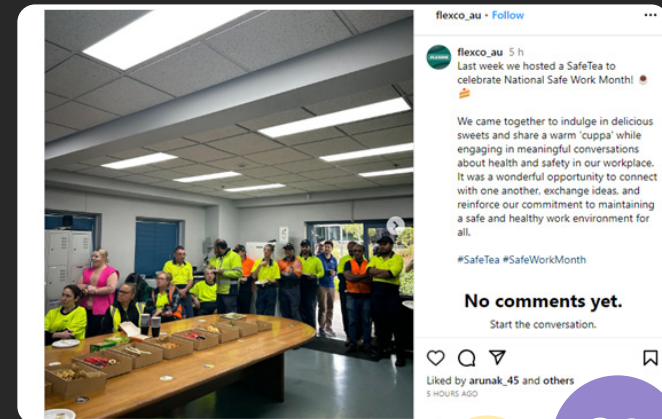
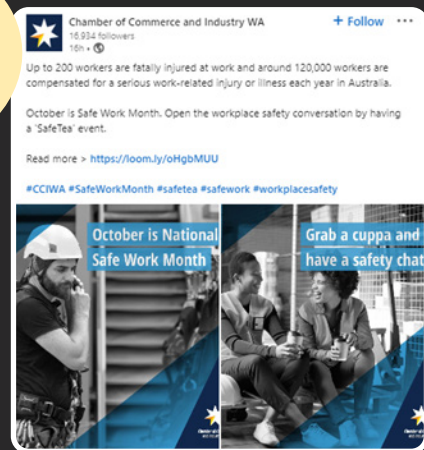
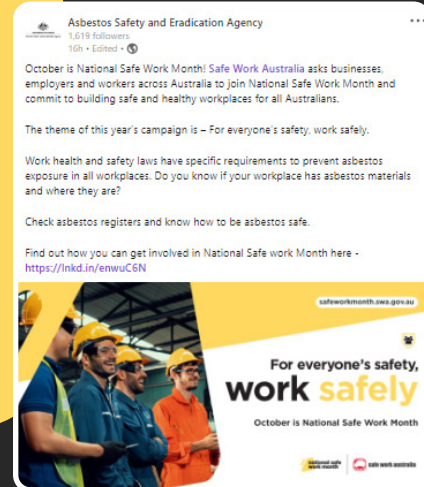


NATIONAL SAFE WORK MONTH 2023 WRAP UP!

Around Australia in October, people got together to recognise National Safe Work Month and commit to building safe and healthy workplaces.

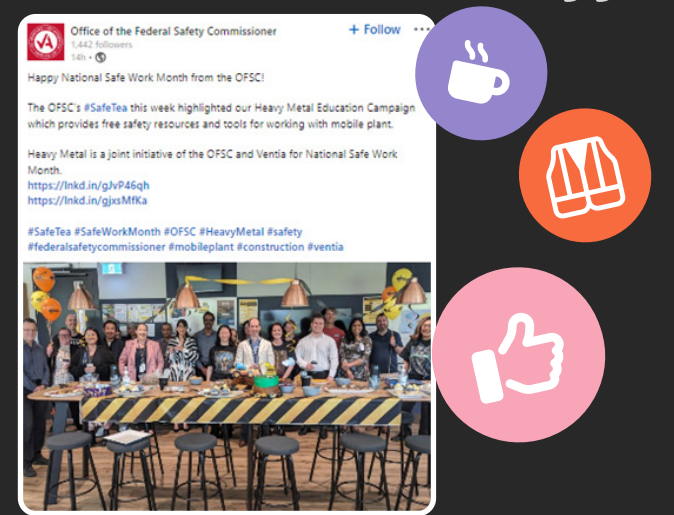
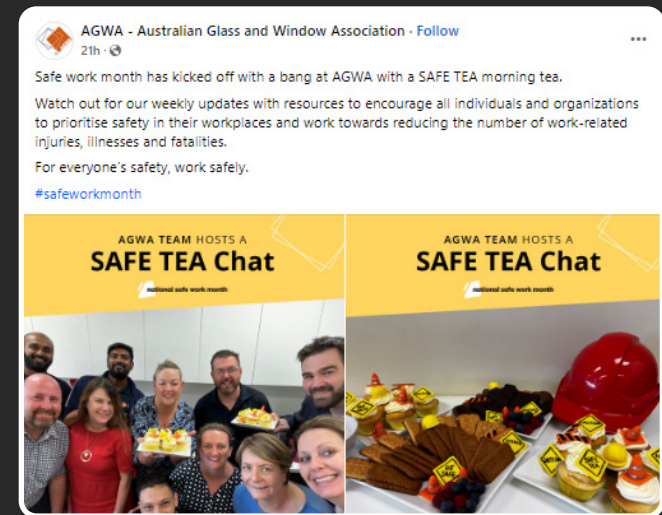
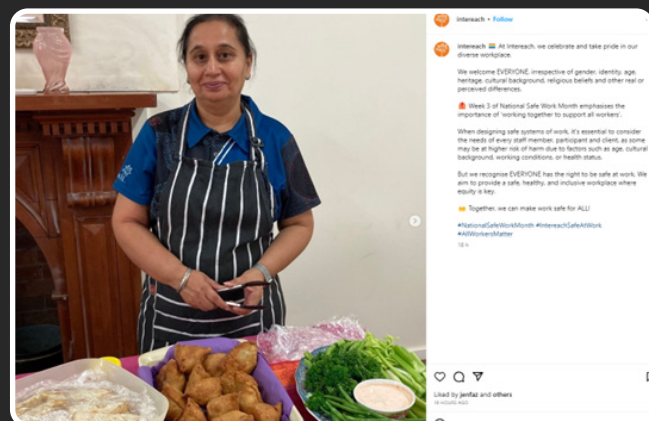
This year's theme – **For everyone's safety, work safely** – encouraged all of us to prioritise safety and work towards preventing work-related fatalities, injuries and illnesses.

↓ Check out these social media highlights! ↓



“October is National Safe Work Month- a time to commit to building safe and healthy workplaces for all Australians.”

“We held a company-wide #SafeTea event, discussing our WHS practices and areas we may be able to build on. We all have a role to play in safe and healthy work!”





November 2023 | Issue 5

Safe Work Australia | Quarterly News Update

WHY WE'RE HERE

A core function of our work is developing and maintaining an evidence base to inform WHS and workers' compensation policy and practice



\$28.6b

The value to the Australian economy each year from reducing work-related injuries and illnesses



127,800

Serious workers' compensation claims in 2021-22p



144 killed

The preliminary number of Australians killed at work in 2023 to date



Subscribe to Safe Work Australia News to receive our quarterly newsletter or get email updates across a range of topics including work health and safety, workers' compensation, data and statistics, model WHS laws and codes of practice.