Quarterly

# News Update

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Counting down to National Safe Work Month 2024



Next steps for the world-first ban on the manufacture, supply, processing and installation of engineered stone benchtops, panels and slabs.

# WELCOME TO THE SAFE WORK AUSTRALIA QUARTERLY UPDATE

In this issue, we take an inside look at the world-first engineered stone ban, chat to Christina Hey-Nguyen from SafeWork NSW's Respect at Work Taskforce on regulating workplace sexual and gender-based harassment, and revisit the Australian WHS Strategy 2023-2033 targets through the recently-released baseline report.



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.

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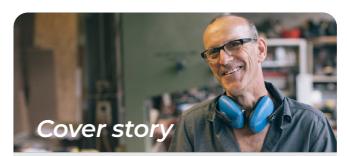


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#### CEO column



My lifelong interest in ensuring safe, healthy and fair workplaces has been influenced by many things, but its genesis can be traced back to my experience growing up in Dublin, Ireland, in the 1960s.

I was the only girl of 5 brothers, and our parents worked in a clothes factory – our father as a fabric cutter, and our mother as a sewing machinist. He worked there from the age of 12 and she from the age of 14.

They made clothes for a shop called Cassidy's of Dublin, which was attached to the factory and bore the very Irish slogan, "As good as the best".

Wages were not great at that time and with a big family my father had to work long hours of overtime. My memory is that he was always at work. I did visit him in the factory sometimes, usually on a Saturday morning – and my memory of it was of darkness, dust floating in the air, material remnants covering the wooden floorboards and it was either really cold or really hot. Those visits were my first glimpse into the world of work. I know that working conditions in Australia were not much better than Ireland in those days.

In the early 1970s the factory closed down and Dad lost his job. He was the first person on our street to not have a job and I remember the impact that had on him, and the family. He took the bus to the city every Friday morning to collect the dole and there was a terrible sense of shame attached to that, us. That time is etched in my memory and I'm sure it's the moment when it entered my DNA that secure, fair, safe and healthy work is fundamental to an individual's self esteem and mental health and is central to how wealth, opportunities, and privilege are and workers' compensation from a holistic perspective - all-encompassing of anything really that impacts on the quality of work.

which he was made to feel more than any of distributed within a society. I'm sure it is also the reason I approach work health and safety We have come a long way since the 1960s. In 2022 for example, the International Labour Organization Declaration on Fundamental Principles and Rights at Work was amended to include "a safe and healthy working environment". This amendment is a watershed that globally reinforces health and safety as foundational to the quality of work.

My father at work in the Cassidy's factory in the 1960s.

Everyone has the right to be safe at work, irrespective of their occupation or how they are engaged. This should be accepted as a non-negotiable just like it is accepted that workers have a right to fair wages and leave.

Reflecting on the experiences that have influenced me over the years reinforces my commitment and advocacy for safe work for all - through reinforcing WHS as a fundamental right for all workers, giving everyone a voice through consultation, creating accessible information and setting up consistent standards across the country so everyone understands their roles, responsibilities and protections.

I'm glad to have witnessed how the world of WHS has changed since the 1960s, and I look forward to continuing the work collaboratively with others to ensure safe work for all over the decades to come.

Varie Island

Everyone has the right to be safe at work, irrespective of their occupation or how they are engaged. This should be accepted as a non-negotiable just like it is accepted that workers have a right to fair wages and leave.

#### VALE TOM **PHILLIPS AM**

On 1 July 2024 we acknowledged the passing of Mr Tom Phillips AM, the inaugural Chair of Safe Work Australia.

Tom was appointed as Safe Work Australia Chair by then-Prime Minister Julia Gillard in 2009, overseeing the establishment of Safe Work Australia,

the development of the model WHS laws and the first Australian WHS Strategy before ending his tenure in 2013. I worked closely with Tom when he was the presiding member of the SafeWork SA Advisory Committee. Tom was a respected and cherished member of the WHS and business community in Australia, particularly in South Australia.

Beyond his professional achievements, Tom was a beloved friend, mentor and

family man and he will be missed. **Marie Boland** CEO, Safe Work Australia

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# LEADING THE WORLD TO PROTECT WORKERS

The world-first ban on the manufacture, supply, processing and installation of engineered stone benchtops, panels and slabs came into effect on 1 July – a decisive step to protect Australian workers from silicosis.

After a surge in cases of silicosis in recent years, Australia has led the way and taken action to protect workers' lives. We know first-hand that there is a disproportionate number of silicosis cases in engineered stone workers. Silicosis in these workers is associated with a shorter duration of exposure to silica, faster disease progression and higher mortality compared to other workers exposed silica from natural sources.

frequently asked questions and a summary of the transition arrangements in your state or territory.

The engineered stone ban is the culmination of several years of collaboration and collective action by the states and territories, industry representatives and unions that make up Safe Work Australia Members, as well as the many workers and employers who participated in public consultations on respirable crystalline silica and engineered stone.

# NEW ENGINEERED STONE BAN RESOURCES AVAILABLE We've published additional resources to help PCBUs understand what the ban means and how it affects them now the ban is in place. Find the resources and guidance on our engineered stone ban website, where you can also find

# Moving forward: new regulations to protect workers from exposure to respirable crystalline silica

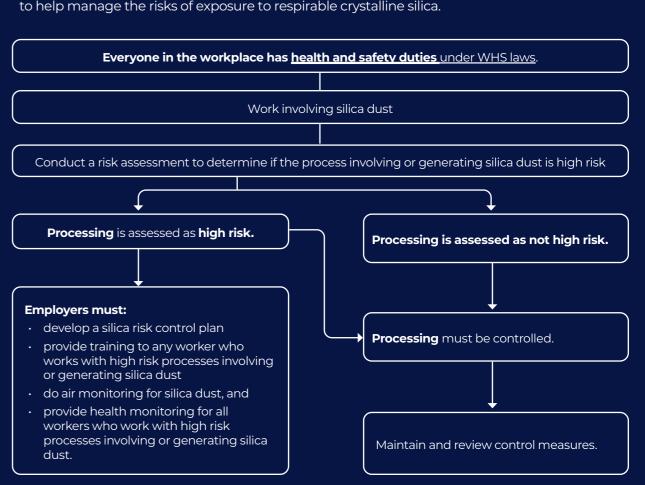
While the engineered stone ban addresses a primary cause of silicosis and other occupational lung diseases, crystalline silica is still present in many other substances. Workers can be exposed to respirable crystalline silica in a wide range of occupations and industries – including excavation and earth moving, road construction and tunnelling, and brick, concrete and stone cutting.

In response to this, from I September 2024, amendments to the WHS Regulations will provide for the stronger regulation of all work with any materials containing at least 1% crystalline silica (a crystalline silica substance or 'CSS') across all industries. Under these new regulations, businesses have specific duties in relation to the management of risks associated with the generation of respirable crystalline silica from processing CSS. Additional obligations also apply in relation to any processing of a CSS that is assessed as high risk.

# WORKING WITH CRYSTALLINE SILICA SUBSTANCES (CSS)

<u>We've published new guidance</u> ahead of the commencement of the new regulations to help PCBUs understand their WHS duties in relation to CSS as they apply from 1 September 2024.

Our <u>Be Silica Smart resources</u> also provide a range of guidance materials in different languages to help manage the risks of exposure to respirable crystalline silica.



## HOW NSW IS TACKLING WORKPLACE GENDER-BASED HARMFUL BEHAVIOURS

Many people continue to view workplace sexual harassment as an interpersonal issue, rather than a WHS hazard. We highlight that proactive, systemic approaches should be taken to address the drivers of these behaviours.



SafeWork NSW is the first Australian WHS regulator to set up a dedicated team – the Respect at Work Taskforce – focused on preventing harmful gender-based workplace behaviours, including sexual harassment.

We caught up with **Christina Hey-Nguyen**, head of the Taskforce, to learn more about SafeWork NSW's regulatory approach to this WHS risk.

#### Can you tell us more about why the Respect at Work Taskforce was established?

The Taskforce was set up in 2023 in response to the landmark Australian Human Rights Commission 2020 Respect@Work Report, which found that sexual harassment was widespread and pervasive, impacting at least one in 3 Australian workers in the past 5 years.

The Respect@Work Report called for an urgent need to raise awareness that sexual harassment is a WHS issue, and for a shift from the current reactive model to a proactive approach, requiring employers to take action to prevent sexual harassment before it occurs.

In October 2023, SafeWork NSW launched a <u>4 year strategy</u> for the prevention of harmful, gender-based behaviours across NSW workplaces, with an initial focus on sexual harassment. It outlines the key industries where SafeWork NSW will be focusing its attention over the coming years – retail, hospitality and healthcare. The strategy received international recognition from the International Labour Organization, who referred to it as: "the most useful guidance on how to transform an OSH regulatory regime to address gender-based violence and harassment risks".

# What are the trends in relation to sexual and gender-based harassment that you're seeing in NSW?

We are seeing an increase in reporting, which is a positive thing as we know that sexual harassment is often underreported. There is also a growing realisation among WHS professionals, human resources and the legal profession that they need to address this complex WHS risk and take a preventative approach to address the drivers of these harmful behaviours. Otherwise, there will be consequences. Earlier this year, SafeWork NSW had its first prosecution for this WHS hazard. A residential care provider was convicted and fined \$300,000 for breaching its WHS obligations by exposing workers to a risk of violence, including inappropriate sexual behaviour.

# What are some of the challenges PCBUs face in addressing sexual harassment in the workplace?

Some of the challenges we've been hearing from businesses are around education gaps, including a lack of knowledge about sexual harassment, the causes, and how to prevent, intervene early and respond to it.

There are also harmful gender stereotypes, norms and attitudes that play out in workplaces. For example, in customer or client-facing sectors such as retail, hospitality, and healthcare, there is often still the notion that the 'customer is always right' and dealing with unwanted sexual comments, jokes or touching is just part of the job.

Many people also continue to view workplace sexual harassment as an interpersonal issue, rather than a WHS hazard. We highlight that proactive, systemic approaches should be taken to address the drivers of these behaviours and manage this WHS risk.

#### How is SafeWork NSW approaching the regulation of sexual and gender-based harassment?

SafeWork NSW is focused on uplifting awareness and capability across NSW workplaces by equipping businesses with the information they need to take action and prevent and respond to workplace sexual harassment. In addition, SafeWork NSW will take a strategic focus on high-risk worker groups and industries.

Where there are serious breaches of WHS laws, we'll take appropriate enforcement action to protect workers.

SafeWork NSW is also working with other regulators, workers, unions, business and industry through state and national forums to inform our regulatory approach and improve coordination and collaboration.

An example of interagency cooperation is the Heads of Workplace Safety Authorities working group on preventing sexual harassment and gender-based harms that all states and territories are part of, as well as Safe Work Australia.

# What resources are available to help people prevent, manage and report sexual harassment in the workplace?

We've developed a suite of resources including:

- · a reporting options guide for NSW workers
- · a regulation map for NSW businesses, and
- · 3 15 minute webinars for businesses.

We also have an awareness-raising campaign: 'Preventing sexual harassment is your business' currently on radio, social media and print.







# LET THE OCTOBER COUNTDOWN BEGIN!

#### National Safe Work Month 2024 theme and topics announced

We're excited to announce the 2024 National Safe Work Month theme is Safety is everyone's business.

Work health and safety must be at the core of how we do business in Australia. This theme recognises a safe and healthy working environment as a fundamental principle and right across all industries and occupations, while highlighting the business benefit that comes from committing to safer workplaces. Through an exploration of weekly work health and safety topics, National Safe Work Month emphasises reaching positive outcomes for individuals, organisations and the wider community.

Earlier this year, you shared your thoughts on the 2024 campaign via our public consultation. Many of you are keen to get back to work health and safety basics, and we hear you!

The weekly topics are:



work health and safety fundamentals





psychosocial hazards





risk management fundamentals





musculoskeletal

## **GET INVOLVED**



**Download resources** 

1. Download or customise our National Safe Work Month resources

We have posters, social media tiles, activity sheets, email signatures and more to help you raise awareness of WHS in your workplace.

2. Follow us on LinkedIn, Instagram and Facebook for WHS information

Use the hashtags #SafeWorkMonth and #SafetylsOurBusiness to share your National Safe Work Month activities with us. You could even share photos of your #SafeTea chat where you discussed WHS in your workplace over a cuppa.

3. Subscribe to our mailing list

Stay in the know on all things National Safe Work Month by subscribing to our mailing list. Be sure to tick 'National Safe Work Month' from the list of topics.



#### Host a SafeTea chat this October in your workplace for National Safe Work Month!

It all starts with a conversation. SafeTea brings workplaces together by encouraging your team to have a chat about work health and safety over a cuppa.

We have several resources to help you plan a SafeTea event relevant to your industry, including SafeTea Trivia, a SafeTradie checklist, conversation starter dice and more! See our website to download them today.

We would love to see everyone's SafeTea events this year! Don't forget to share your photos with us by using the hashtags #SafeTea #SafeWorkMonth and #SafetyIsOurBusiness.



Plan a SafeTea

















Nathan Lee, Director, High Risk Work & Industries Policy



# INTERNATIONAL COLLABORATION

#### TO IMPROVE HEALTH AND SAFETY IN THE FORESTRY INDUSTRY

International collaboration on WHS and workers' compensation policy matters of national importance is one of our key functions.



We work in partnership with other countries to undertake research, attend international conferences and meetings, and share expertise and ideas on how Australia manages WHS and workers' compensation.

In May this year, a Meeting of Experts was convened to update and adopt the 1998 International Labour Organization (ILO) code of practice on safety and health in forestry work. Our High Risk Work & Industries Policy Director, Nathan Lee, attended the meeting as Australia's expert, travelling to Geneva, Switzerland for the meeting.

ILO Codes are used all around the world and are updated roughly every 30 years. We have a comprehensive suite of forestry guidance materials, and the agreed revisions for the new Code which were discussed at the meeting, draw from these materials and other Safe Work Australia guidance. This includes information on fall prevention, ladder safety, vehicle roll aways, cable logging, solar radiation, and psychosocial risks.

The revised Code will contribute to improving the health and safety of workers all around the world in the forestry industry, which employs around 1% of the global workforce, or about 33 million people. In many countries, forestry involves very high levels of work-related fatalities, injuries and poor working conditions.

### RESEARCH FINDS REDESIGNING WORK MAY HELP REDUCE PSYCHOSOCIAL RISKS IN AGED CARE

The Centre for Transformative Work Design at Curtin University has completed their research to explore interventions to manage psychosocial risks in the aged care sector.

The research report is now available on the Safe Work Australia data website – Our Data. Your Stories.

The 2-year research project, funded through a Safe Work Australia research grant, was conducted across 4 residential care facilities of a large Australian not-for-profit aged care provider. The project aimed to eliminate or minimise psychosocial risks associated with increased job demands in the aged care sector.

The Centre's research demonstrated that a work redesign process can identify effective and cost-efficient ways an organisation may reduce job demands. The key is to tailor a work redesign to the specific needs of the organisation and its employees.

The research also found that involving workers in identifying psychosocial hazards and the redesign process can result in improvements over and above just directly implementing control measures.

Good work design improves work health and safety, human performance, job satisfaction, and business success. The most effective design process begins at the earliest planning stage. This is when there is the greatest chance to design-out hazards and design-in efficiencies and effective risk control measures.

Supporting high quality research such as this is a priority for Safe Work Australia. Rigorous studies by external organisations help expand our evidence base and inform how to tackle future challenges in work health and safety and workers' compensation.

The aged care sector is at a critical juncture where the well-being of aged care workers is increasingly at risk due to escalating job demands. Our partnership with Safe Work Australia enabled a collaborative, applied research project through which we were able to demonstrate that evidence-based work redesign interventions can significantly alleviate some of these pressures.

**Dr Daniela Andrei,** Centre for Transformative Work Design, Curtin University

Read the report



# AN INSIGHT INTO WORKPLACE VIOLENCE AND AGGRESSION

The latest data from the Australian Bureau of Statistics Personal Safety Survey estimated that Australian workers collectively have experienced more than 1 million incidents of work-related violence.

Earlier this year, our data report *Psychological* health and safety in the workplace highlighted a concerning upwards trend of workplace violence and aggression.

Using other sources of data, our recent *Workplace* and work-related violence and aggression in Australia data report further examines this trend to provide a view of the prevalence, causes and impacts of violence in Australian workplaces.

The report also gives a deeper understanding of where there are opportunities for better risk management approaches to prevent workplace violence and aggression.

According to our data, over the last 5 years there has been a 56% increase in the number of serious workers' compensation claims for assault and exposure to workplace violence.

The ABS data highlight that men experience more workplace and work-related physical violence than women, while women experience more workplace and work-related sexual violence. Separately, over the last 10 years there has been a 73% increase in workplace physical violence claims made by women compared to a 33% increase by men.

To view the full report online and understand more about the risks of violence and aggression in workplaces, visit the <u>Our Data. Your Stories. website</u>. Our data work is vital for highlighting where there are opportunities for better risk management to prevent WHS issues from occurring. A concerning trend we have studied in recent analysis has been the increase in occupational violence. Evidence like this is crucial for helping PCBUs and workers better understand and manage the risks of violence and aggression in their workplace.



**Phil Wise**, Director, Data Improvement and Analysis





Our Data Improvement and Analysis team are exploring the WHS profile of different occupations to help illustrate the prevalence of specific risk factors workers face while performing their duties. First up: electricians.

Many tasks for electricians are physically demanding and technically complex, and electricians are often exposed to various hazards on a daily basis. From climbing ladders and working at heights, handling heavy equipment, and dealing with electrical systems, these workers are exposed to a range of risks which can be managed through targeted WHS practices.

Using Safe Work Australia's Beta Occupational Hazards Dataset and National Dataset for Compensation-based Statistics, alongside ABS Census data, this profile highlights how electricians have a significantly higher level of exposure to some job hazards and body positioning hazards compared to other occupations.

Read the WHS Profile: Electricians

#### Findings

Over the last 10 years, 'body stressing' has consistently been the most common type of work-related injury or illness for electricians (an average of **35.1%** of all serious claims during the period).

The frequency of serious claims for electricians that experienced 'electrocution, shock from electric current' is approximately **6 times greater** than the average across all occupations.

Installing electrical equipment may involve working on rooftops, ladders or elevated structures, making 'falls from a height' another risk that disproportionately affects electricians.

Tragically, these hazards have led to fatal injuries. Over the past 10 years, 44 Electricians died from traumatic injuries at work. Of these, 23 (or 52%) were a result of electrocution, and a further 9 resulted from falls from a height.

Falls, trips and slips injuries may sound innocuous, but as our analysis shows, these injuries are more severe and lead to increased compensation and time off work.

Jackson Micallef, Data Analyst

#### SPOTLIGHT ON 2023 WHS PROSECUTION DATA

We have updated our WHS prosecutions data dashboard with new data from 2023.

The prosecutions repository provides national information on criminal prosecutions for breaching WHS laws or regulations since 1 January 2020.

Developed in response to the 2018 Senate inquiry report They never came home – the framework surrounding the prevention, investigation and prosecution of industrial deaths in Australia, the prosecutions repository provides a national overview of WHS offences and helps inform decision-making to improve WHS outcomes.



Courts in Victoria prosecuted the highest amount of PCBUs with 45% (132 cases) of the national 2023 total. This was followed by Queensland with 24% (70 cases), and New South Wales with 22% (65 cases).

293 prosecutions for breaching WHS Acts and/or regulations in Australia were recorded, with the average financial penalty being \$138,724. All financial penalties in 2023 totalled \$39,952,442.

In 72% of cases, the defendant PCBU pled guilty, while in fewer than 1% of cases, the defendant PCBU pled not guilty. 27% of pleas were unknown or not published.

We compile data from prosecutions under WHS laws and regulations in Australian jurisdictions (Commonwealth, states and territories), to provide a national view that can inform improved WHS compliance policies and practices.

Ren Fisher, Data Analyst

#### AUGUST MARKS ONE YEAR SINCE THE FULL LAUNCH OF THE OUR DATA. YOUR STORIES WEBSITE!

Check out our video to learn more about why the interactive data website was developed, and what's next!



Watch the video



The Australian WHS Strategy 2023-2033

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The baseline report

## AUSTRALIAN WHS STRATEGY 2023-2033 BASELINE REPORT

Work-related fatalities, injuries and illnesses have a devastating impact on workers, their families and the community.

Each year, around 200 workers are killed by, and over 120,000 workers are compensated for, work-related injury or illness. These incidents tend to be concentrated in just 6 industries:

- · agriculture
- construction
- road transport
- manufacturing
- health care and social assistance, and
- · public administration and safety.

The Australian Work Health and Safety Strategy 2023-2033 (the Strategy) is a meaningful strategic document for WHS stakeholders across the country.

The 10-year Strategy acknowledges and addresses WHS challenges of national importance, while providing a unified vision of safe and healthy work for all. These challenges include managing psychosocial risks, the rise of artificial intelligence, automation and related technologies, and new types of work arrangements.

The Strategy was agreed by Safe Work Australia Members and ministers with responsibility for WHS, demonstrating collaborative commitment to improve Australia's WHS outcomes. To realise the Strategy's ambitious vision of safe and healthy work for all, we must continually drive action and monitor progress towards its targets.

Our new Australian Work Health and Safety Strategy 2023-2033 Baseline Report considers the data against which performance will be assessed over the next decade through a set of measurable targets aimed at driving systemic improvements in WHS outcomes. The report highlights a number of focus areas where all stakeholders in the WHS system need to collaborate, innovate and embed good WHS practices to achieve the Strategy's goal of reduced worker injuries, illnesses and fatalities.

Improving Australia's performance requires commitment and collaboration from everyone across the WHS ecosystem. I encourage you to read the Strategy and our Baseline Report today and use it as a tool to think about what your organisation can do to contribute to this national effort.



**Meredith Bryant**, Branch Manager, Evidence, Communications & Industries Policy

# **KEEP THE NOISE DOWN!** UNDERSTANDING HAZARDOUS NOISE IN THE WORKPLACE

Hearing damage can occur when a person is exposed to noise that is too loud for too long. Hearing loss can be temporary or permanent and can get worse over time.

The risk of noise related injury increases depending on how loud the noise is and how long a person is exposed. The workplace exposure standard for noise states workers must not be exposed to noise above 85 decibels (as an average) over 8 hours at work. As a guide, machines like lawnmowers and leaf blowers are around 85 decibels.

For every 3 decibels increase in the noise level. the amount of time a worker can be exposed before hearing damage occurs halves. For example, at an average noise level of 88 decibels a worker can only be exposed for 4 hours.

As a good rule of thumb, if you must raise your voice to talk to someone who is a metre away, you are likely being exposed to hazardous noise levels.

Acoustic trauma is immediate and permanent hearing loss which occurs when a person is exposed to noise greater than 140 decibels. This is often the result of sudden bursts of noise such as sledge-hammering.

Check out our infographic for more information on protecting workers from the risks of noise-induced hearing loss at work.

PIEF MANAGEMENT NATIONAL **CONFERENCE & AWARDS** 

CROWN PERTH - OCT 28-30

**Enabling Safety, Wellbeing** & Return to Work & Life

work well drive well

be well

#### COME SEE US AT PIEF THIS OCTOBER!

We'll be attending the Personal Injury & Disability Management National Conference & Awards in Perth from 28-30 October.

# **OUT AND ABOUT**

Catch up on recent events we've attended.



#### **PHSCON 2024**

Our CEO Marie attended the inaugural Psych Health and Safety Conference (PHSCon2024) in June. Marie was interviewed by mental health ambassador Lucinda Brogden AM and shared insights on preventing sexual and gender-based harassment in the workplace.

#### **COMCARE CONFERENCE**

We attended the 2024 Comcare Conference on 20-21 August. Thank you to everyone who visited our booth - we enjoyed the opportunity to share our guidance and resources on WHS risk management, return to work and workers' compensation, psychosocial hazards and our national WHS and workers' compensation data.

Marie gave a stellar presentation on day 2 of the conference, sharing how her upbringing in Ireland and her early work in history and museum curation shaped her approach to WHS as a regulator and now as the head of a national policy agency.



#### **RETAIL EMPLOYEE SAFETY** COUNCIL

Earlier in August, Marie chaired the inaugural Retail Employee Safety Council (RESC) meeting. The RESC is a tripartite alliance between unions, employers and government that aims to address customer abuse and violence in the retail sector. which is having a significant impact on the physical and psychological health of workers.

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# 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



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



127,800

Serious workers' compensation claims in 2021-22p



77 killed

The preliminary number of Australians killed at work in 2024 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.