

FACT OR FICTION

Have you ever wondered if something you have seen or heard really is a work health and safety issue?

Are you confused about whether something is or isn't part of the work health and safety regulations?

Fact or Fiction was held during 2014 Safe Work Australia Month. It involved busting some common myths and giving you the facts about work health and safety!

A colleague told me I could lift anything on the job as long as it's less than 20 Kilos.

Verdict: False

Reason: Under the model Work Health and Safety Regulations there is no prescribed maximum weight limit for lifting. A prescribed limit is not set because different individuals have different physical capabilities.

More Information

To determine the appropriate control measures, the focus is on an assessment of the risk factors:

- » actions and movements
- » working posture and position when lifting
- » duration and frequency of manual handling
- » location of loads and the distances moved
- » characteristics of the load, and
- » physical capability of person

Any weight load can cause problems if, for example, the load is lifted incorrectly or if lifted in an environment that is unsafe. A manual handling injury can result from the use of incorrect lifting techniques which may make the load awkward to lift or heavier by virtue of the lifting technique itself.

Loads should be handled in accordance with the manufacturer's recommendations and precaution statements. This information may be provided in user manuals, brochures or on the product itself (for example, labelling on cartons).

Note: training in lifting techniques should not be used as the sole or primary means to control the risk of musculoskeletal disorders.

For more information see the [Code of Practice: Hazardous Manual Tasks](#)

To have legal effect in a jurisdiction, the model Code of Practice must be approved as a code of practice in that jurisdiction. To determine if this model Code of Practice has been approved as a code of practice in a particular jurisdiction, [check with the relevant regulator](#).

FACT OR FICTION

I was told I am not covered by workers' compensation because I am over 65 years old.

Verdict: False.

Reason: Employees are covered for worker's compensation under all Australian schemes no matter at what age they are injured.

More Information

Medical, rehabilitation and lump sum payments for permanent incapacity

Medical and rehabilitation costs and lump sum payments for permanent impairment are paid irrespective of age under all Australian workers' compensation schemes.

Weekly incapacity payments

Workers' compensation schemes are either 'long tail' or 'short tail'. Long tail schemes continue to pay weekly incapacity payments for the duration of the worker's incapacity. 'Short tail' schemes impose a benefit period or amount restriction.

The Commonwealth, Victoria, South Australia, Tasmania, Australian Capital Territory and Northern Territory schemes are all 'long tail' schemes. Under these schemes continued weekly payments are generally subject to regular reviews of work capacity.

Entitlement to weekly incapacity benefits for injured workers ceases once they reach retirement age. For workers who are injured close to or **after retirement age**, schemes provide for the payment of weekly incapacity benefits for a period of between six months and two and a half years, depending on the scheme.

The effect of the capping (cutting off benefits at retirement age and providing time limited benefits to workers injured close to or after retirement age) is to:

- » contain scheme costs and employer premiums, and
- » avoid the situation of injured workers remaining on weekly incapacity payments well past the age at which they would have retired had they not incurred an injury.

The 'short-tail' schemes, Queensland and Western Australia, do not have an age cut-off in their workers' compensation schemes. Instead their schemes limit weekly incapacity payments for all injured workers by other means.

FACT OR FICTION

I relocated my business into a building that was constructed just last year so I don't need an asbestos register.

Verdict: True

Reason: An asbestos register is not required when the workplace is in a building constructed after 31 December 2003 and no asbestos has been identified or is likely to be present from time to time.

Get the full explanation:

The import, manufacture, supply and use of all forms of asbestos was banned in Australia from 31 December 2003. Therefore asbestos is unlikely to be present in buildings constructed after that date.

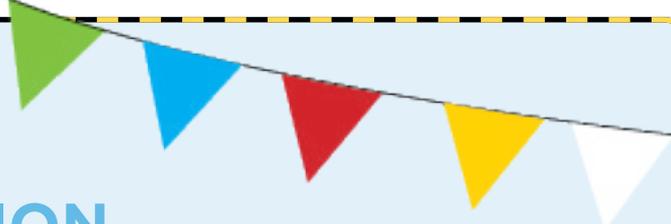
In Queensland an asbestos register is not required when the workplace is a building constructed after 31 December 1989 and no asbestos has been identified and no asbestos is likely to be present in the workplace from time to time.

In cases where an asbestos register is required the asbestos register must:

- » record any asbestos or asbestos containing material (ACM) that has been identified or is likely to be present at the workplace from time to time. This would include:
 - the date on which the asbestos or ACM was identified
 - the location, type and condition of the asbestos; or
- » state that no asbestos or ACM is identified at the workplace if the person knows that no asbestos or ACM is identified or is likely to be present from time to time at the workplace

The asbestos register must be maintained so the information in the register is up to date and be readily accessible.

Further information about asbestos registers and managing asbestos in workplaces, see the model code of practice [How to Manage and Control Asbestos in the Workplace](#).



FACT OR FICTION



Safety data sheets (SDS) and material safety data sheets (MSDS) are the same documents with different names.

Verdict: False

Reason: SDS and MSDS contain equivalent safety information. However they are different documents with different legal requirements.



More Information:

In a SDS the chemical is classified under a new international system of chemical classification called the Globally Harmonized System of Classification and Labelling of Chemicals (GHS). In an MSDS the chemical is classified under an Australian system called the Approved Criteria for Classifying Hazardous Substances (Approved Criteria).



The GHS is a single internationally agreed system of chemical classification and hazard communication through labelling and SDS. It includes harmonised criteria for the classification of physical hazards, health hazards and environmental hazards.

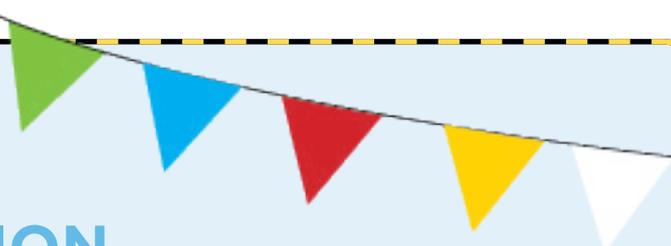


Currently, either SDS or MSDS can be used to meet the requirements for managing risks under the model Work Health and Safety (WHS) Regulations. MSDS are being phased out and the use of SDS will become mandatory in the Australian states and territories that have adopted the model WHS Regulations from 1 January 2017 onwards.

If your workplace uses, handles or stores hazardous chemicals you should make sure it has replaced its MSDS with SDS prepared by the Australian manufacturer or importer of the hazardous chemical, by 1 January 2017.



For more information see our [hazardous chemicals webpage](#), [contact your regulator](#) or [check your state or territories progress in adopting the model WHS laws](#).



FACT OR FICTION



The main injury or illness employees make workers' compensation claims for is mental disorders.

Verdict: False

Reason: Most claims for workers' compensation are for sprains, strains and musculoskeletal disorders.

Get the full explanation:

In 2011-12:

- » a total of 120 155 serious claims were accepted by Australian workers' compensation authorities
- » 59 percent of serious claims were for sprains, strains and musculoskeletal disorders, and six percent were for mental disorders
- » over one in 10 serious claims made by female employees were for a mental disorder, compared with only one in 25 among male employees, and
- » almost one in five serious claims made by male employees were for fractures or open wounds, whereas these injuries are involved in only one in 10 serious claims among female employees.

For more information, see the [Australian Workers' Compensation Statistics 2011-12 report](#).



FACT OR FICTION



Two-thirds of work related fatalities involve a vehicle.

Verdict: True

Reason: Over the 11-year period between 2003 and 2013, 66 percent of work-related injury fatalities involved a vehicle.

Get the full explanation:

Of the work-related, vehicle-involved injury fatalities that occurred between 2003 and 2013:

- » 75 percent were single-vehicle incidents
- » almost half (49 percent) occurred on public roads
- » 19 percent occurred on farms
- » 46 percent involved trucks, and
- » 19 percent involved a vehicle rollover.

View the [Work-related Traumatic Injury Fatalities Australia 2013](#) report for more information.



FACT OR FICTION



You can't do work experience placements on construction sites because they are too dangerous.

Verdict: False

Reason: The Work Health and Safety (WHS) Act covers people who carry out work in any capacity including work experience students.

Get the full explanation:

A construction workplace may pose significant work health and safety risks but it is a duty under the WHS Act for a person conducting a business or undertaking to eliminate or minimise risks so far as is reasonably practicable.

However, any person that will carry out construction work must have successfully completed general construction induction training and hold a current card, generally referred to as a 'white card'.

More information on construction work and general construction induction training is in the [model Code of Practice: Construction work](#).



FACT OR FICTION

I can always use an overseas safety data sheet to meet my work health and safety requirements.

Verdict: False

Reason: Unless a safety data sheet (SDS) has been prepared specifically for use in Australia, it is unlikely that it will meet the requirements of Australian law.

Get the full explanation:

This is because Australian Work Health and Safety (WHS) laws require specific information in a SDS that may not be present in an overseas SDS like the contact details of the Australian manufacturer or importer of the hazardous chemical.

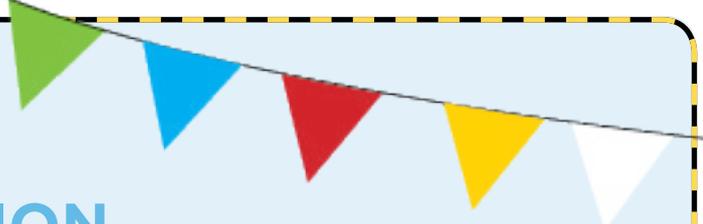
Under Australian WHS laws a SDS for a hazardous chemical must:

- » contain unit measures expressed in Australian legal units of measurement under the *National Measurement Act 1960 of the Commonwealth*
- » state the date it was last reviewed or, if it has not been reviewed, the date it was prepared
- » state the name, and the Australian address and business telephone number of the manufacturer or the importer
- » state an Australian business telephone number from which information about the chemical can be obtained in an emergency, and
- » be in English.

When a hazardous chemical is imported to Australia it is the responsibility of the Australian importer to correctly classify the chemical and to prepare a SDS in accordance with the correct classification of the hazardous chemical.

In some circumstances a suitable overseas SDS may have been developed specifically for use in Australia. In this case it remains the responsibility of the Australian importer to ensure the SDS meets Australian work health and safety requirements.

More information about the requirements of Australian SDS can be found in the [model Code of Practice: Preparation of Safety Data Sheets for Hazardous Chemicals](#) and on the [hazardous chemicals webpage](#).



FACT OR FICTION



The Globally Harmonized System of Classification and Labelling of Chemicals (GHS) will be mandatory soon.

Verdict: True

Reason: In those jurisdictions who have adopted the model Work Health and Safety (WHS) Regulations the GHS will be mandatory from 1 January 2017.

Get the full explanation:



In Australia, there are currently two systems of chemical classification that may be used. These are the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) and the Approved Criteria for Classifying Hazardous Substances [NOHSC:1008(2004)] (Approved Criteria).

In the majority of Australian jurisdictions the GHS will become mandatory from 1 January 2017 onwards.

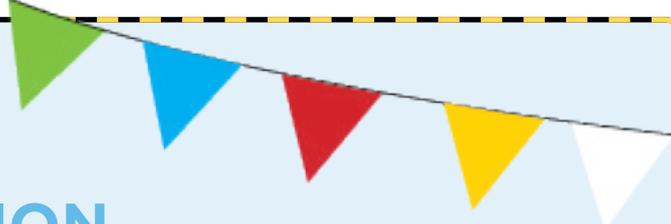


All jurisdictions have recognised the GHS in their current legislation. This means chemical classifications, labels and safety data sheets prepared in accordance with the model WHS Regulations are accepted in all states and territories of Australia.



For more information, see the [*Model Work Health and Safety Regulations – Transitional Principles*](#), our [hazardous chemicals webpage](#) or contact your regulator.





FACT OR FICTION

I need to place signs at my business to warn about the hazardous chemicals we keep on site.

Verdict: Sometimes

Reason: Depending on the type and quantity of hazardous chemicals stored at your business you may need to display placard signs at your business.

Get the full explanation:

Placards are warning signs required at workplaces that store hazardous chemicals at amounts above certain threshold quantities. These threshold quantities can be found in your state Work Health and Safety (WHS) Regulations, or in this [Safe Work Australia guidance note](#).

Placards may be required at the entrance to the workplace (outer warning placards) as well as at other key locations, for example at designated chemical storage areas.

The main purpose of placarding is to warn emergency personnel like firefighters who may need to respond to an emergency at your workplace. If a fire or other emergency occurs it is very important that emergency service personnel understand the risks associated with your chemical inventory.

By law placards must be maintained. This includes keeping the placards clean, in good repair, and not covering or obscuring the placards. Placard requirements can also vary depending on the quantity and type of hazardous chemicals stored on site. Comprehensive information about placarding requirements is set out in your state or territory WHS Regulations. You should [contact your regulator](#) to confirm these requirements.

Making sure your business is correctly placarded can be a complex task. You may wish to consider engaging a dangerous goods or hazardous chemicals consultant to help you meet your obligations.



FACT OR FICTION

Wearing personal protective equipment (PPE) is the best way to control risks in the workplace.

Verdict: False

Reason: Personal Protective Equipment (PPE) is important in controlling risk, but you should not rely just on PPE if there are more effective ways to control the specific risks in your workplace.

Get the full explanation:

To be compliant with Work Health and Safety (WHS) requirements you must ensure workers and other people are not exposed to health and safety risks. PPE can be used as a last resort if there are no other practical or effective ways to control risks, or if you need PPE in the interim until more effective controls can be put in place.

Before deciding to use PPE, you need to consider whether it is practicable to control the risk by the following means, in the order they appear below:

- » eliminating the hazard from the workplace
- » substituting the hazard for something safer
- » isolating the hazard from people, and
- » using engineering controls.

Where it is not practicable to control risk by these methods, risks must be controlled by:

- » using administrative controls, and
- » using personal protective equipment (PPE).

If required, PPE must be provided to you by your employer and must be:

- » selected to minimise risk to work health and safety
- » suitable for the nature of the work and any hazard associated with the work
- » a suitable size and fit and reasonably comfortable for the person wearing it
- » maintained, repaired or replaced so it continues to minimise the worker's health and safety risk, and
- » used or worn by the worker, so far as is reasonably practicable.

For more information see the [Personal Protective Equipment \(PPE\) Frequently Asked Questions](#) or [check with your WHS regulator](#).