

## YOUNG WORKER STRATEGY -APPRENTICESHIPS





# ONBOARDING – HOSTING ARRANGEMENTS



Presentation subtitle

07 December 2022

**Legislative Requirements for Work Health and Safety** 

## CURRENT LEGISLATIVE REQUIREMENTS PURSUANT TO WHS ACT & REGS – WORKERS COMPENSATION ACT & REGS



07 December 2022

### **ISSUES IDENTIFIED**

#### From July 2022 to date

Apprentices identified in the WorkSafe ACT has received 32 individual workplace undergoing work referrals from Skills Canberra Field Officers without holding the Non Compliance detected – mandated training **Construction Industry (White Card)** 1. requirements or insurance **Asbestos Awareness Course training** 2. Working Safely with ACM 3. **No Workers Compensation Policy** Δ.

> Silica Awareness training to commence 1 July 2023.

## **ISSUES IDENTIFIED - WHITE CARD**

1. NO Mandated - General construction induction training

Breach – WHS Regulations Section 316 & 317:

- Duty to provide general construction induction training s316, and
- Duty to ensure worker has been trained s317

Maximum penalty:

(a) in the case of an individual—\$3 600; or(b) in the case of a body corporate—\$18 000.

*Note* Strict liability applies to each physical element of each offence under this regulation





### **ISSUES IDENTIFIED- ASBESTOS AWARENESS**

2. NO Mandated - Asbestos Awareness Course Training

Breach – WHS Regulations Section - 445 Duty to train workers about asbestos awareness

Maximum penalty:

(a) in the case of an individual—\$6 000; or(b) in the case of a body corporate \$30 000

*Note* Strict liability applies to each physical element of each offence



### ISSUES IDENTIFIED -WORKING WITH ASBESTOS

3. NO Mandated – Working Safely with Asbestos

Breach – WHS Regulation Section 445A -Duty to train workers about working with asbestos

Maximum penalty:

(a) in the case of an individual—\$6 000; or(b) in the case of a body corporate—\$30000.

*Note* Strict liability applies to each physical element of each offence under this regulation



### **ISSUES IDENTIFIED - RECORD KEEPING**

Asbestos Awareness Course s445 & WSWACM s445A – further obligations -

**Employers – (the PCBU)** 

Must ensure that a record is kept of the training undertaken by the worker—

- (a) while the worker is carrying out work in the business or undertaking; and
- (b) for  $\frac{5 \text{ years}}{5 \text{ person}}$  after the day the worker ceases working for the person.



### **ISSUES IDENTIFIED - RECORD KEEPING**

Must keep the record available for inspection under the Act.

Maximum penalty: (a) in the case of an individual—\$1 250; or (b) in the case of a body corporate—\$6 000.

*Note* Strict liability applies to each physical element of each offence under this regulation



# **WORKERS COMPENSATION**

For the same reporting period (July 2022 to date) -WorkSafe ACT received **2** referrals –

Host employers of apprentices not holding a current Workers Compensation policy!



## **WORKERS COMPENSATION**

## 4. NO Workers Compensation policy or cover for employees –

Breach – Workers Compensation Act

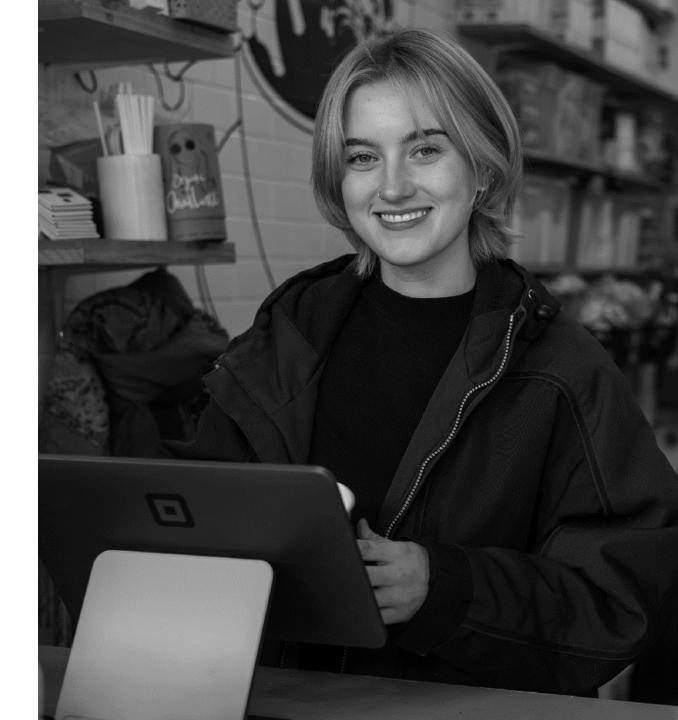
S147 - Compulsory insurance—employers

(1) This section applies if an employer does not hold a compulsory insurance policy issued by a licensed insurer.

An employer commits an offence if the employer fails to maintain a compulsory insurance policy with a licensed insurer.

Maximum penalty: 50 penalty units.





### SILICA AWARENESS TRAINING TO COMMENCE 1 JULY 2023

https://www.worksafe.act.gov.au/health-and-safety-portal/safety-alerts/mandatorytraining-of-apprentices

#### Silica Awareness Training

By 1 July 2023, all workers on a construction site will be required to complete Silica Awareness Training. For more information, see our Silica Dust webpage.

#### Enforcement

WorkSafe ACT is committed to firm and fair enforcement of the Work Health and Safety legislation. We collaborate with external stakeholders to ensure the safety of apprentices and gather intelligence on breaches of the Work Health and Safety legislation. Our inspectors are conducting workplace visits and investigating reports of non-compliance for workplace induction training.



## YOUNG WORKERS STRATEGY

#### PURPOSE

WORKSAFEACT

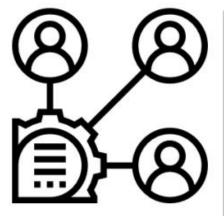
This Strategy is the overarching document that captures WorkSafe ACT's approach to ensuring compliance with the management of work-related issues affecting young workers in the Territory. It focuses on:

- young workers who are still developing an understanding of the full range of workplace laws
- and which jurisdiction is responsible for enforcing which laws
- duty holders who contravene WHS laws, and
- stakeholders who require support to build capability to achieve compliance with WHS laws



### OBJECTIVES

The key objectives of this Strategy are:





- 1. Increase young worker awareness of WHS and workers' compensation obligations
- 2. Support WHS and workers' compensation legislative compliance



3. Enforce compliance with WHS and associated workers' compensation duties 4. Build WorkSafe ACT capability and capacity as a responsive regulator on young workers' health and safety



### WHAT'S BEEN DONE – GENERAL INCREASE IN AWARENESS

Targeted and effective communication is integral to the implementation of the Strategy, through:

- a young workers branding suite (brand, logo, colour palette and typography)
- a dedicated young workers inspector
- increased social media presence and posts
- website resources

- events and presentations
- branded merchandise for events, and
- developing informative flyers.



#### Everyone has the right to a safe and healthy workplace.

Workers aged between 15 and 25 make up a large part of the workforce in the ACT - but they're some of the least likely to speak out at work when something is unsafe. WorkSafe ACT has developed the Young Workers Strategy to make sure you have the tools to keep healthy, safe and well

throughout your working life.

SAFE

AS.

Young Workers Strategy

WORKSAFE

TAKE NOTE:

SAFETY





# KNOW YOUR HEALTH & SAFETY

#### WE'RE FOR FOR YOUNG YOUNG WORKERS

# **YOUNG WORKERS PORTAL**

#### **Young Workers**

Your first years in the workforce are an exciting time.

You meet new people, learn new skills and develop your attitudes toward safety in the workplace.

Young workers are those aged up to 25 and include apprentices, school-based apprentices, and trainees.

Young workers can undertake all forms of employment including, but not limited to, casual, freelance or gig, labour hire, temporary, unpaid internships, work experience and work placements, full-time and part-time work.

WorkSafe ACT have developed the resources to empower and support young workers in their first years at work.

People under 25 years of age face a range of issues when entering the workforce. For these reasons, WorkSafe ACT developed a <u>Young Workers Strategy</u> to support young workers in tackling work health and safety (WHS) and workers' compensation concerns.

Young workers need a team of supportive people around them. These include:



Parents and Guardians How you can support your young people starting out at work



Employers A proactive approach to the safety and wellbeing of your young workers.



Apprentices What you need to know about induction and supervision



Young workers What you need to know to be safe and healthy at work

## **WEB INFORMATION**

## CHECKLIST

#### Inductions in Construction

To perform construction work, you must have a <u>General Construction Induction Card</u>, this is commonly referred to as a *White Card*. Topics covered in this training are:

- your rights and responsibilities under Work Health and Safety law
- · the standard of behaviour expected of workers on construction sites
- · common hazards and risks in the construction industry
- · basic risk management principles, and
- this training must be completed through a Registered Training Organisation (RTO). You then need to apply to <u>Access Canberra</u> to get your card.

You will also need <u>Asbestos Awareness Training</u>. You have to provide proof of completing this training which could include an Asbestos Awareness Training Card or Statement of Attainment.

Trades who could potentially be exposed to asbestos containing material also require <u>Working Safely with</u> <u>Asbestos Containing Material (WSWACM)</u> training. A list of these trades can be found <u>here</u>.

WorkSafe ACT recently released a Safety Alert relating to Inductions called <u>Mandatory Training of Apprentices</u> that covers training that is required for apprentices in construction.

<u>Mandatory</u> construction specific training that the apprentice must complete if working in construction

- General Construction Induction (White Card)
- Asbestos Awareness Training
- Working Safely with Asbestos Containing Materials (WSWACM) (where relevant)
- Silica Awareness Training (by 1 July 2023)

More information about apprentice supervision can be found by scanning this QR code worksafe.act.gov.au





## **SUPERVISION FLYER**

**SAFETY ALERT** 

#### Enforcement

WorkSafe ACT is committed to firm and fair enforcement of the Work Health and Safety legislation. We collaborate with external stakeholders to ensure the safety of apprentices and gather intelligence on breaches of the Work Health and Safety legislation. Our inspectors are conducting workplace visits and investigating reports of non-compliance for workplace induction training.

#### White Card training

If an employer does not ensure the construction induction (White Card) training has been provided to workers who are engaged to carry out construction work, they could face an **on the spot fine** (infringement penalty) of \$432 for an individual and \$2,160 for a body corporate.

Offence penalties of up to \$3,600 as an individual, or \$18,000 as a body corporate also apply.

SAFE AS CHECKING WITH THE BOSS

> WORKSAFE ACT



Strategy



Having a properly qualified person keep an eye on you during your apprenticeship is the first step towards learning the right way to do

First and second-year apprentices should have direct supervision - this means your supervisor can see or hear you at all times.

**FIND OUT** 

MORE:

Third and fourth-year apprentices may not need constant

things for yourself.

supervision, but you still need regular,

personal contact to make sure you're

working safely.

## **STAKEHOLDER ENGAGEMENT AND STRATEGY**

How can we stop this noncompliance at the time of hosting arrangements for all apprentices in the ACT?

Discussion from the floor -





# MERRY CHRISTMAS FROM WORKSAFE ACT

