
ENFORCEABLE UNDERTAKING

Part 11

Work Health and Safety Act 2011

The commitments in this enforceable undertaking
are offered to SafeWork NSW

by

BC Sands Pty Ltd
ACN 002 589 308

Enforceable Undertaking

Purpose

The purpose of this enforceable undertaking is to document the undertakings offered to SafeWork NSW (**SafeWork**) pursuant to Part 11 of the Work Health and Safety Act 2011 (**WHS Act**) in connection with matters relating to alleged contraventions of the WHS Act or the Work Health and Safety Regulations 2011 (**the Regulations**).

Section 1 – General Information

a. Details of the person proposing the undertaking

Business address: 26 Atkinson Rd, Taren Point NSW 2229

Postal address: PO Box 2027
Taren Point NSW 2229

Telephone contact: [REDACTED]
Managing Director:

[REDACTED]

Email address: [REDACTED]

Legal structure: Pty Ltd

Type of business: Building and Landscape Supply

Commencement date of the entity: 31 May 1990

Number of workers: Casual 22 / Full Time 43

Products and services: Building and Landscape Supply Company

Comments: BC Sands has three business divisions including Administration, Sales and Operations. Main trade occurs at the Taren Point worksite [REDACTED]. There is also a second branch located in Mascot [REDACTED].

b. Details of the alleged contravention

It is alleged by SafeWork that on 25 October 2013, BC Sands Pty Ltd (BC Sands) failed to discharge its obligations as a person conducting a business or undertaking under Section 19 (1) of the WHS Act in that it did not ensure so far as reasonably practicable the health and safety of workers engaged by it while the workers were at work.

c. Details of the events surrounding the alleged contravention

On 25 October 2013 two employees and a contractor attempted to move a firewood tumbler barrel out of the workshop. During this process the barrel was dislodged from the forklift tines, dropping onto the contractor's foot.

d. An acknowledgement that SafeWork alleged a contravention has occurred

It is acknowledged that SafeWork has alleged that BC Sands has contravened Section 19 (1) of the WHS Act.

e. The details of any injury that arose from the alleged contravention

The process of the barrel dropping onto the contractor's foot [REDACTED].

f. The details of any enforcement notices issued that relate to the alleged contravention

Yes (provide details)

No

Notices received:

| Date issued | Notice type | Notice number | Contravention | Action taken in response to notice |
|------------------|--------------------|---------------|---|---|
| 19 November 2013 | Improvement notice | 10-17438 | Use of unstamped and untagged lifting equipment has been removed. | 1. New equipment that is stamped and tagged appropriately has been purchased. |
| 19 November 2013 | Improvement notice | 10-17438 | Extendable tines used when the accident occurred had broken locking devices. | 2. Extension tines have been repaired and staff have been trained in the correct use of this equipment. |
| 19 November 2013 | Improvement notice | 10-17438 | Racking system was inspected for competency by Dexion Silverwater. | 3. Racking system has been repaired to Dexion Silverwaters specification and load plates are now attached. |
| 19 November 2013 | Improvement notice | 10-17438 | No trade scales in place to control load limits. | 4. New trade approved scales for High Reach Forklift have been purchased so load limits on the racking system would not be breached by operators. |
| 19 November 2013 | Improvement notice | 10-17438 | Inappropriate use of forklift as lifting device through chains and slings hooked to tines | 5. Use of proper forklift lifting devise/attachment |

g. A statement of assurance about future work health and safety behaviour

BC Sands is committed to complying with its obligations under the WHS Act and ensuring, so far as reasonably practicable the health and safety of all workers and those who may be affected by its business or undertakings.

h. The details of the type of workers compensation provided (if the injured person(s) is a worker of the person)

The injured worker was employed by a labour hire company.

i. The details of the support provided, and proposed to be provided, to the injured person(s) to overcome the injury/illness

Does the contravention involve injury to a person?

Yes (provide details)

No

The injured person was a contractor of BC Sands and we were unable to provide any ongoing assistance. He was offered an ongoing full time position which he declined.

The following support has been provided to the injured person(s) or injured person(s) family:

| Date issued | Description of support | Comment |
|--------------------|---|--|
| 26 October 2013 | Hospital visit | Operations Manager and Managing Director |
| Various | Call to parents of injured person | Attempt was rejected |
| 25 October 2013 | Injured worker offered full time employment at BC Sands | Employment opportunity was accepted however never taken up due to accident |

j. If the matter involves a fatality or very serious injury, a claim to demonstrate that exceptional circumstances exist that the enforceable undertaking is a more appropriate response than pursuing prosecution

Does the contravention involve a fatality or very serious injury?

Yes (provide details)

No

k. The details of any existing occupational health and safety management system (OHSMS) at the workplace including the level of auditing currently undertaken

BC Sands has a work health and safety management system called EasyOHS. This program provides a consistent auditing process through automated reminders of circumstances including licensing alerts, actioning from safety committee meetings and toolbox meetings, yearly induction reminders.

l. The details of any consultation undertaken within the workplace regarding the proposal of an enforceable undertaking

The Managing Director raised the enforceable undertaking project at the monthly company board meeting in May 2015. This was followed by a management meeting between the Managing Director, Commercial Manager and Operations Manager. Consultation with all employees was then undertaken at the monthly toolbox meeting (2 June 2015), chaired by the Operations Manager, in addition to the monthly safety meeting (30 June 2015).

m. A statement of regret that the incident occurred (i.e. not an admission of guilt)

BC Sands regrets that the incident on 25 October 2013 occurred and that the worker sustained injuries as a result of the incident.

n. Any rectifications made as a result of the contravention

-
1. Existing pallet racking in the incident zone was replaced and installed to avoid future workplace accidents. All pallet racking is checked regularly as a form of maintenance. [REDACTED]
 2. Constructing and implementing Safe Work Method Statements (SWMS) to meet industry standards and further instil company policy within the workplace. This includes the SWMS, 'Loading and Unloading Using Forklift' [REDACTED]. SWMS are reviewed by the Operations Manager, who is responsible for employee sign off of all SWMS.
 3. Recruitment of a Human Resources Coordinator (HR Coordinator) has allowed BC Sands to further develop the safety culture of the company. The role of the HR Coordinator is to ensure company policy is obeyed through monthly tool box meetings and safety meetings. Control of this monthly exercise allows for management to identify areas of safety concern which are dealt with appropriately by the HR Coordinator. For example, the development of SWMS.
 4. BC Sands had employed a work health and safety management system, EasyOHS. This program allows the company to keep record of licences, certificates and training completed for each employee. The EasyOHS program plays a key role in the induction process of BC Sands. It is a program where relevant licences and documents are recorded and managed. It also provides a safety component for all new employees to complete in the induction process. It is now managed by the HR Coordinator who works with the program on a daily basis to ensure existing licences are valid and personal details entered are current.

TOTAL AMOUNT SPENT ON RECTIFICATIONS

\$87, 493.11

o. An acknowledgement that the enforceable undertaking may be published and publicised

BC Sands acknowledges that the undertaking will be published on SafeWork's internet site and may be referenced in SafeWork's publications.

BC Sands will, within thirty days of the acceptance date of this undertaking, cause a public notice to be published in the Sutherland Shire Leader. This publication has a total readership of 204,000 people. It stretches from Arncliffe in the north, south to the upper reaches of the Illawarra, and east to Botany Bay and the sands of Cronulla. Its publications are accessible physically and digitally. This newspaper is distributed to an estimated 450,000 people in the St. George and Sutherland Shire councils twice a week.

p. A statement of ability to comply with the terms of the enforceable undertaking

BC Sands acknowledges that it has the financial ability to comply with the terms of this enforceable undertaking and has provided evidence with this undertaking to support this declaration.

q. Statement regarding relationships with beneficiaries

BC Sands acknowledges there are no known current relationships with any of the beneficiaries outlined in the enforceable undertaking, other than the current employees of BC Sands.

r. Intellectual property licence

BC Sands grants SafeWork a permanent, irrevocable, royalty free, worldwide, non-exclusive licence to use, reproduce, distribute, electronically transmit, electronically distribute, adapt, and modify any materials developed as a result of this enforceable undertaking.

s. The person is required to provide information regarding any prior work health and safety convictions

BC Sands has had no prior work health and safety convictions.

or

Yes The list is attached as an annexure.

2. Subject to any local legal constraints such as spent conviction legislation.

t. Acknowledgement of enforceable undertakings overview and guidelines

BC Sands has read and understood Enforceable undertakings – an overview, and Enforceable undertakings – guidelines for proposing an enforceable undertaking.

Section 2 – Enforceable Terms

a. A commitment that the behaviour that led to the alleged contravention has ceased and will not reoccur

BC Sands commits that the behaviour that lead to the contravention has ceased and that it will take all reasonably practicable steps to prevent the recurrence of this type of incident.

b. A commitment to the ongoing effective management of work health and safety risks

BC Sands commits that it will exercise its best endeavours to the ongoing effective management of work health and safety risks. Work health and safety risks will be effectively managed by the following means:

- Implementing an improved online safety induction program
- Incorporating safety awareness through marketing strategies
- Work experience for an impaired student

c. A commitment to disseminate information about the undertaking to workers, and other relevant parties (which may include work health and safety representatives), and in the annual report (if applicable)

BC Sands agrees to disseminate information about the undertaking within the workplace, including to the members of any health and safety committee, HSRs, workers and relevant parties. This information will be disseminated through monthly safety committee meetings and will be completed thirty days from the date of approval of the enforceable undertaking.

d. A commitment to participate constructively in all compliance monitoring activities of the undertaking

BC Sands acknowledges that the responsibility for demonstrating compliance with this undertaking rests with BC Sands which has given this undertaking. Evidence to demonstrate compliance with the terms will be provided to SafeWork by the due date for this term.

BC Sands acknowledges that SafeWork may undertake other compliance monitoring activities to verify the evidence that is provided and compliance with the relevant term. The evidence provided to demonstrate compliance with the undertaking will be retained by BC Sands who has given this undertaking until advised by SafeWork that the undertaking has been completely discharged.

BC Sands acknowledges that SafeWork may initiate additional compliance monitoring activities, such as inspections, as considered necessary at Safe Work's expense.

Strategies that will deliver benefits to workers, industry and the community:

e. Strategies that will deliver worker benefits

1. Enhanced Toolbox Meetings – incorporating safety stories

Scope:

BC Sands conducts regular, compulsory, Toolbox Meetings for all drivers and yard staff. Toolbox meetings are a medium to communicate relevant information to the core employees of the company on a monthly basis. They are useful in reinforcing safety messages, and improve knowledge and awareness of safety concerns.

To enhance the safety messages to staff, over the course of the year, BC Sands will employ two guest speakers from CNBSAFE, a company who provide 'real life' safety information through the real life experiences of their Safety Speakers. Their aim is to present their experiences and provide the employees of BC Sands with a lasting message about the impact of a workplace injury or fatality.

The aim of this exercise is to execute vital safety concerns across the corporation. By employing industry specific safety speakers, these presentations will engage our employees with relevant facts and prevention methods while at work. This in turn will contribute towards building and improving the current safety culture and awareness of the company.

Speaker 1&2: [REDACTED]

A 60 minute presentation covering real life experiences on the following topics:

- Prevention (including near misses)
- Looking out for others
- Return to work/life
- The effects on *all* levels of the workplace
- Accountability
- Self-responsibility
- Adjusting to change (mental, physical and emotional challenges)
- Motivation
- Culture
- Concludes with questions and answers session

Speaker 3: [REDACTED]

A 60 minute presentation on the life of a mother who lost her son to a workplace injury

- Who Alex was
- What he did for work
- What happened
- Delivery this news to family
- Impact on family & friends
- How do you go on
- Why she shares Alex's story

Tangible outputs:

The benefit of providing a face-to-face discussion based on real life workplace incidents is to enhance the severity of potential accidents specific to the industry. All presentations will be held at monthly tool box meetings which commence at 5am, before drivers leave site for the day and site operators switch on machinery. The discussion element of these presentations will allow for a reflection period whilst further reiterating the importance of safe work choices at work.

The learning outcomes of CNBSAFE presentations include:

- Increased work health and safety awareness specific to driver and yard roles in the business
- Better understand the risk of their role
- Better understand the work health and safety obligations and responsibilities
- Be further aware of due diligence and conscious decision making awareness
- Instilling awareness of how easily an accident could occur

As stated in the CNBSAFE proposal, presentations will provide our employees with up to date safety information for a period of three years held on the BC Sands premises. This ongoing learning technique will contribute towards continuing development. It will further develop the safety culture of the company and the long term sustainable benefits.

Beneficiaries/audience:

The CNBSAFE safety presentations will be aimed towards the BC Sands Directing Manager, Operations Manager, drivers (25 people) and yard staff (17 people). By exposing employees who have the highest risk job to these presentations, twice a year, there will be opportunity for continuous safety development and access to current safety information for long term benefits. This in turn will contribute towards a solid safety culture within the business for current and future employees.

Delivery method:

Safety presentations will take place at Toolbox Meetings. Meetings will run for 60 minutes from 5am-6am, before daily operation begins. Presentations will occur two times a year over the course of three years. Therefore, each of the three speakers will present their topic once a year.

The same topics will be repeated by each presenter as the turnover of BC Sands Pty Ltd is currently 60%, therefore the audience will vary due to the change of employees on a yearly basis.

Timeframe:

Safety presentations will have a life of three years. CNBSAFE have agreed to provide three guest speakers over the course of the three years. Each year, one presenter will make an appearance twice, giving a total of six presentations over the course of the period.

Safety outcome:

Increased work health and safety awareness specific to the operations roles in the business.

Total estimated cost: \$22,440

2. Improving Induction Process

Scope:

BC Sands Pty Ltd is in agreement with ELMO Talent Management Software to assist BC Sands in developing an improved induction program.

The ELMO system will provide BC Sands with a single integrated platform hosted by ELMO, in Australia. ELMO provides pre-built eLearning courses that are compliant with Australian legislation. The software provides access to over 200 pre-built training modules available in the ELMO Library. Courses will cover the compliance of the building and landscape supply industry BC Sands is categorised in.

The ELMO courses come under the following module names: Workplace Health and Safety modules under General Health and Safety, Chemicals and Hazardous Substances Management, High Risk/Construction Industry, Chain of Responsibility and Ethics and Conduct.

ELMO enables BC Sands to tailor a specific and relevant induction process that is compliant to Australian Standards. Courses will be selected from the course library and will be on a role basis. Voice overs specific to the company can be easily integrated into each course.

An example induction training schedule for yard staff might be:

- Forklift Safety
- Hazard Identification
- Personal Protective Equipment
- Safe Work Planning (SWMS)
- Handling angry and upset customers

In addition to the above the Yard Team Leader might undertake:

- Discrimination and EEO
- Building and managing teams
- Managing workplace conflict

Additional courses can be added from the course library at any time.

The aim of the online course development is to provide the staff of BC Sands (new and existing) exposure to specific workplace and compliance courses relevant to the BC Sands workplace, operations and industry. It will be compulsory for the specified courses to be completed by all employees through the induction process. This will drive the safety culture of BC Sands and ensure all employees are exposed to the mandatory training regime.

The Business Account Manager from ELMO will communicate with the Human Resource Coordinator of BC Sands a step by step process of using the ELMO software.

Continuous maintenance of the online induction process will be controlled by the HR Coordinator. It will be the responsibility of the HR Coordinator to ensure the modules are relevant to all employees of different sectors in the workplace. In addition, it is the duty of the HR Coordinator to identify any relevant modules of work that should be added to the induction process.

Tangible outputs:

The Online Induction is designed to increase awareness and understanding of work health and safety policies and procedures, obligations and responsibilities, improve hazard and risk awareness, reduce workplace incidents/accidents and encourage safe workplace behaviour

Beneficiaries/audience:

All employees will complete all modules specific to BC Sands as a part of the induction process.

Delivery method:

The Induction is delivered through online modules and completed by the worker at their normal workplace. Each employee will have their own login to this server. Employees are able to access this system both internally and externally from BC Sands workplaces through a secure online portal.

Timeframe:

ELMO is able to provide already developed modules relevant to the BC Sands industry. This will speed up the set up process for the software. BC Sands have estimated the software to be running by March 2016. BC Sands will evaluate the effectiveness of this system for after the initial 3 year period. Existing staff will be given modules to undertake to refresh their knowledge and all new staff will undertake the modules as part of their induction. This will commence from March 2016.

Safety outcome:

Induction training is designed to increase awareness and understanding of work health and safety, provide information and knowledge in relation to workplace policies and procedures and improve safe workplace behaviour.

Total estimated cost: \$48,000

3. First Aid Training

Scope:

Provide first aid training to all existing full time employees.

This unit of competency describes the skills and knowledge required to provide a first aid response to a casualty. The unit applies to all workers who may be required to provide a first aid response in a range of situations, include community and workplace settings.

Tangible outputs:

Employees who successfully complete this nationally recognised training will be awarded the statement of attainment for:

- HLTAID003 Provide first aid
- HLTAID001 Provide cardiopulmonary resuscitation
- HLTF311A Apply first aid

Employees will be certified with First Aid Certification for 3 years, which will strengthen knowledge of emergency response through a practical and written delivery method.

Beneficiaries/audience:

First aid training will be completed by all existing full time employees of BC Sands at the date of the booking of the course. This includes administration, sales, delivery fleet drivers, yardmen, bagmen. This will not include casual employees or contractors.

Delivery method:

Mixed Mode: Completion of pre-course study plus 5.5 hours practical training

Face to Face: Minimum of 8 hours face to face training

The candidate must show evidence of the ability to complete tasks outlined in elements and performance criteria of this unit, manage tasks and manage contingencies in the context of the job role.

There must be evidence that the candidate has completed the following tasks in line with state/territory regulations, first aid codes of practice, Australian Resuscitation Council (ARC) guidelines and workplace procedures.

The following assessment tasks are required for this course:

Multiple choice questions - knowledge assessment

Respond to these performance tasks:

- Choking with airway obstruction
- Unconscious breathing casualty
- Bleeding and shock
- Snake or funnel web spider bite
- Sprains and fractures

Respond to these simulated emergency scenarios:

- Perform CPR on an adult and an infant
- Anaphylaxis (allergic reaction)
- Breathing difficulties - Asthma

Timeframe:

All employees will be first aid trained within six months, of the acceptance date of the enforceable undertaking, which will qualify them for three years.

Safety outcome:

By training all employees will gain further knowledge in first aid practices which will develop a stronger safety culture and increase awareness.

Total estimated cost: \$18,955

4. Replacing Forklifts

Scope:

Replacing existing BC Sands forklifts with five upgraded forklifts fitted with quality safety features. Five new forklifts will be purchased through MLA Manufacturers (MLA).

The aim of upgrading forklifts on site is to enforce practical safety awareness through every day activities on the BC Sands site.

Tangible outputs:

BC Sands will replace their existing forklifts with five upgraded forklifts:

- Two only New Mitsubishi Forklift Truck Model: FD25N
- One only New Mitsubishi Forklift Truck Model: FD25N
- Two only New Mitsubishi Forklift Truck Model: FD35AN

An induction for existing and new employees will be undertaken on the safety features of the upgraded forklifts.

The key features will include Instrument panel / LCD monitor, steering with tilt position memory system, neutral safety start system, mast & travelling interlock system (IPS), double action parking brake, full suspension seat with seatbelt, full lighting and mirror kit, wide open steps, tilt steering column, cup holder, three point entry system, removable acrylic roof with rain gutter, elevated air intake system, digital load weight indicator with overweight alarm.

A planned maintenance program issued with the new forklifts will ensure the safety features of this machinery is regularly monitored and serviced. This will involve long term servicing through MLA and short term daily maintenance checks by our onsite mechanic, to further strengthen the quality of the forklifts and give them longer life.

Beneficiaries/audience:

All site operators, including bagmen, drivers and yard staff, as well as managers.

Delivery method:

The online work health and safety induction will include a module on safe forklift practices which new and existing employees will complete.

Timeframe:

Forklifts will arrive within 2 months of the acceptance date of the enforceable undertaking. After their arrival, forklift induction training will commence for existing employees who hold a current forklift licence. The induction module will be ongoing and mandatory for new employees.

Safety outcome:

Additional safety features including a speed limiter, wind screen, seat belts and horns will ensure the risk of an accident is minimal for the forklift operator. It will be far more ergonomic and designed for safe and efficient practices.

Total estimated cost: \$152,340

Total estimated cost of benefits to the workplace: \$241,735

f. Strategies that will deliver industry benefits

5. Monthly Safety Campaign Work

Scope:

Incorporating safety campaigns through the BC Sands marketing calendar aimed towards industry relevant customers.

A safety slogan will be selected for a monthly campaign to be marketed through our company website, messages on hold, social media, and newsletter – printed and emailed, invoices and delivery dockets and point of sale television.

One slogan will be the focus for one month at a time. If this campaign is approved, BC Sands will take into consideration any content of slogans SafeWork may suggest. BC Sands does understand that this could be linked to any monthly promotion SafeWork may be running.

Tangible outputs:

Exposure of safety messages to a wider array of customers whom we deal with daily. This is a visual strategy of which people will see repetitively.

Beneficiaries/audience:

BC Sands employees and customers

Delivery method:

A safety slogan will be selected for a monthly campaign and the marketing methods with an anticipated reach for each method)

Table 7: Marketing methods

| Method | Delivery Method: |
|-------------------------------|--|
| Company website | An estimated 20,000+ people visit our website every month. The monthly safety message will be promoted on our website home page through marketing strategies. It will be the responsibility of the Marketing Manager to monitor the monthly changes and designs of promotions. |
| Messages on hold | Safety messages will be played on our Messages on Hold system, a recording used when customers are placed on hold. It will be the responsibility of the Marketing Manager to change the message on a monthly basis to incorporate the monthly safety message. |
| Social Media | BC Sands has fewer than 600 followers on Facebook. The Facebook page is monitored by the Marketing Manager. It will be the responsibility of the Marketing Manager to post a safety message once a month simultaneous to the monthly campaign. |
| Newsletter | A monthly newsletter incorporating the safety message of the month will be designed by the Marketing Manager. The newsletter will be distributed digitally and physically to all active customers who make a purchase. Our newsletter reaches an estimated 2000+ customers via physical copy and over 5000 via email copy. |
| Invoices and delivery dockets | The design of invoices and delivery dockets will be altered monthly to incorporate the safety message of the month. This will be designed by the Marketing Manager and distributed digitally and physically to all |

| | |
|--------------------------|---|
| | active customers who make a purchase. Our invoice and delivery docket advertising reaches over 4000 people per month. |
| Point of Sale Television | We have a 2 x 42 inch Point of Sale Television screen at our Taren Point site and an identical television at our Mascot site continuously flashing a series of promotions. There is scope to include multiple safety messages to be played daily through this system. |

Timeframe:

This strategy will be monitored and managed by the Marketing Manager. The strategy will be consistently incorporated into our Marketing Plan for one year.

Safety outcome:

Developing a stronger sense of safety awareness by engaging industry relevant customers, with exposure to monthly safety messages. This will ultimately promote BC Sands as an advocate for safety whilst influencing the safe decisions made by customers and the community.

Total estimated cost: \$2,800

6. Safety Calendars

Scope: Distributing an industry specific calendar to coincide with the BC Sands Safety Marketing Plan. This will also identify industry related charity events, trade expos and safety expos in NSW. In addition, it will correspond to the safety slogan of the month used in the BC Sands Safety Marketing Plan.

The aim of this calendar is to combine all relevant industry based information specific to safety awareness on an item that can be used for multiple purposes. It will act as a calendar and also provide monthly reminders for industry wide events.

This calendar will be distributed to all major customers upon delivery, in addition to being distributed over the counter in our hardware store. If this campaign is approved, BC Sands will work collectively with SafeWork to consider any content, events or slogans SafeWork may suggest. BC Sands does understand that this could be linked to any monthly promotion SafeWork may be running.

Tangible outputs:

BC Sands are in agreement with Worldwide Printing Solutions to produce 1,000 Calendars for this strategy. The calendar will be in A4 size and fold out to A3 size. The calendar will include industry related charity events, free PPE months, trade expos and safety expos in NSW. In addition it will correspond to the safety slogan of the month used in the BC Sands Safety Marketing Plan.

This calendar will be designed by the Marketing Manager of BC Sands.

Beneficiaries/audience:

Exposure of safety messages and safety seminars which communicate relevant and current industry based information to all industry based workers and additional customers.

Delivery method:

Sales representatives will distribute the safety calendar to any customer who makes a sale with BC Sands, over the counter or online.

Timeframe:

The BC Sands Safety Calendar will be produced once a year and distributed every December. This will commence from December 2016 for calendars to be produced for 2017 and 2018. This calendar will be distributed for two years.

Safety outcome:

Raising further awareness towards workplace safety and engaging customers through a visual instrument.

Total estimated cost: \$5,780.79

7. Master Builders Association (MBA) Divisional Information Night**Scope:**

BC Sands have approached MBA as a leading service, providing advice to members on safe work practices, procedures, documentation and responding to safety related disputes within the construction industry. BC Sands is heavily connected to the construction industry as the majority of products sold through the company are building and landscape supplies. Therefore, MBA would allow BC Sands to reach out to the relevant target market at the Divisional Information Night.

The Divisional Information Night brings industry experts to the region and allows members to stay up to date with local industry issues and legislation. It enables members to have a strong voice in local issues and provide a conduit for escalation that can influence industry and government decisions.

Tangible outputs:

BC Sands are in agreement with MBA and CNBSafe Safety Speakers to sponsor an injured worker to attend the Cronulla Sutherland Divisional Information Night of August 2016. The injured worker will be sponsored as a guest speaker from CNBSAFE to share his story with attendees regarding his 'choices' in the workplace that has now left him as a paraplegic.

The speaker will cover topics on:

- Prevention (including near misses)
- Looking out for others
- Return to work/life
- The effects on *all* levels of the workplace
- Accountability
- Self-responsibility
- Adjusting to change (mental, physical and emotional challenges)
- Motivation
- Culture
- Concludes with questions and answers session

In addition, the Managing Director of BC Sands will be talking at the Divisional Information Night on the consequences of workplace accidents. This will expose industry specific attendees to the experience faced by the owner of a company and the lessons learnt on his behalf from this incident.

The information night will result in increased work health and safety awareness specific to driver and yard roles in the business. Participants will gain an understanding in:

- The risk of their role
- Their work health and safety obligations and responsibilities
- Due diligence and conscious decision making awareness
- Instilling awareness of how easily an accident could occur
- Outcome of an accident for the casualty, other employees and the owner of the company

Beneficiaries/audience:

The Cronulla Division Information Night held on Monday 15 June 2015 had 46 builders attend; therefore the audience would be specific to industry workers.

Delivery method:

A presentation at an industry event on the topics listed above. BC Sands will consider including SafeWork to review the content of this presentation. A verbal presentation by [REDACTED] will also be delivered at this event.

Timeframe: A one off sponsor event held in August 2016, pending the acceptance of the enforceable undertaking.

Safety outcome:

Increased work health and safety awareness specific to the industry and addressed to industry related individuals.

Total estimated cost: \$3,290

Total estimated cost of benefits to the industry: \$11, 870.79

g. Strategies that will deliver community benefits**8. Work Experience Program for a person with a disability****Scope:**

BC Sands have contacted Civic Lifestyles, a company located in the same community as BC Sands. This company works with individuals who suffer from a disability and/or mental illness by offering them a wide range of programs and activities. This service provides the opportunity to assist immobile people with skill development, qualification and experience. BC Sands have approached Civic Lifestyles as a company who wish to employ a disability worker through a work experience program.

BC Sands is willing to employ one person with a disability to participate in this work experience program. Pending the availability of candidates, there is an opportunity for work experience in the administration, sales or production sectors of the company.

By providing work experience for a person with a disability, we will be assisting in the training and development of both their work and employability skills. This may include:

- Team building
- Completing paperwork
- Product knowledge development
- Communication skills
- Understanding responsibility
- Independence
- Problem solving
- Understanding processes

Progress of the person will be monitored by the team leader responsible for the sector of work whilst enabling the individual to achieve realistic goals. In addition, BC Sands are dedicated to providing the person with a buddy to benefit their work experience.

This will encourage the person to build their work skills and incorporate participation and opportunity in the wider community. In addition, providing work experience for a person with a disability will promote a sense of community and belonging.

Civic Lifestyles have informed BC Sands that there will be no government incentive as a part of this work experience program for a person with a disability.

Tangible outputs:

Engaging a local person with a disability in a work experience program to assist them in rebuilding their skills and employability in the community, through safe work practices. Pending on the suitability of the candidate, BC Sands will enable a person to work in the following sectors with the following activities:

- Administration – filing, scanning
- Sales – answering sales calls, completing paperwork
- Production – packaging as a part of a production line

Beneficiaries/audience:

The person will develop skills that will benefit his/her future employment opportunities. This activity will also benefit the culture of BC Sands as it will enable employees to see a real life example of what it is like to work as and with a person with a disability.

Delivery method:

BC Sands will buddy the person with a current employee to assist in their work experience.

Timeframe:

The Work Experience Program will be a one person experience for one month per year over three years. This will ideally be between December – February.

Safety outcome:

Developing safe work method practices through daily skill development of a person with a disability, in addition to a higher level of tolerance in the workplace.

Total estimated cost: \$24,600

9. Billboard Promotion Slogan

Scope:

BC Sands currently hold the rights to advertise on a billboard sign located on the busiest road of the community (Taren Point Road, Taren Point,) every year.

To engage the community with safety awareness, BC Sands will use the billboard sign to marry the three slogans in the BC Sands Marketing Plan to raise awareness through this board. BC Sands will take into consideration any suggestions SafeWork may have in relation to appropriate slogans.

All slogans will be designed by the Marketing Manager of BC Sands.

Tangible outputs:

Taren Point Road is a main thoroughfare surrounded by the suburbs of Sylvania Waters and Caringbah. It is on the peninsula where commuters travel south over Captain Cook Bridge into the Sutherland area. Taren Point contains a mix of residential, commercial and industrial areas with most of the commercial and industrial areas centred on Taren Point Road. Therefore, the location of this billboard sign will be an ideal position for the campaigning of safety slogans

The billboard will raise awareness towards a wider community audience about workplace safety.

Beneficiaries/audience:

All commuters travelling along Taren Point Road from different communities and within the Sutherland Shire community.

Delivery method:

Visual slogan on a billboard sign in a prominent community location.

Timeframe: Three months a year, January, April and June, over three years.

Safety outcome:

An ongoing engagement in safety driven approaches to be enforced through a community strategy to remind employees of any company to be safe in the workplace.

Total estimated cost: \$15,834.90

Total estimated cost of benefits to the community: \$40,434.90

TOTAL ESTIMATED VALUE OF THE UNDERTAKING: \$294,040.69

h. A commitment regarding linking the promotion of benefits to the enforceable undertaking

BC Sands is committed to ensuring that any promotion of a benefit arising from this enforceable undertaking will clearly link the benefit to the undertaking and that the undertaking was entered into as a result of the alleged contravention.

i. A commitment to establish and maintain (or maintain if a system already exists) an occupational health and safety management system (OHSMS).

BC Sands are not required to establish a formal WHSMS system acceptable to SafeWork that satisfies the principles of AS/NZS 4804:2001 Occupational health and safety management systems – General guidelines on principles, systems and supporting techniques.

Please note: BC Sands are currently using a WHS program, EasyOHS, as mentioned in Section 1 (n).

Section 3 – Offer of undertaking

OR

I offer this undertaking and commit to the terms herein.

As a duly authorised person of BC Sands Pty Ltd, I offer this undertaking and commit to the terms herein.

Signed:

[Person]

Name:

Position:

Dated at this
..... day
[suburb]
of
[month] [year]

Signed: 

[Duly authorised person]

Name: 

Position: *MANAGING DIRECTOR*

Dated at *TAREN POINT* this *TWELTH*
..... day
[suburb]
of *JANUARY* *2016*
[month] [year]

1. Section 4 – SafeWork’s acceptance of undertaking

I accept this undertaking as an enforceable undertaking under section 216 of the WHS Act.

Signed: 

Name: *Peter Dunphy*

Position: *Executive Director* SafeWork NSW

Dated at *Gosford* this *29th* day of *January* *2016*
[suburb] [month] [year]