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Memorandum to: All Staff,
School of Aerospace, Mechanical and Mechatronic Engineering

From: David Rye, School of AMME J04

Regarding: Occupational Health and Safety Legislation

Date: 12 August 2002

Copies to: Dean, Faculty of Engineering.

Summary

The purpose of this document is to present some necessary background information, and to propose workable structures that will permit the School to comply with new State occupational health and safety legislation.

The legislation requires employees, in consultation with their employer, to

1. Identify hazards in the workplace;
2. Classify and prioritize hazards in terms of their likely severity and frequency of occurrence;
3. Assess the risk arising from each identified hazard, and determine “reasonably practicable” methods for eliminating or controlling the risk;
4. Create an action plan with a due date for eliminating or controlling each identified risk;
5. Review the implementation and effectiveness of risk control measures.

The legislation comes into force on 1 September 2002, and has severe penalties, including jail terms, for non-compliance.

Immediate Actions Requested

It is important that the School should:

- Form the committee and workgroups detailed in this document, or agree on variations.
- Confirm the committee membership (Table 1), and the persons nominated as workgroup managers/supervisors in Table 2. If I do not hear from those nominated, I will assume that they are willing to serve.
- Be informed of the actions required by the legislation, and the procedures developed to assist in complying with the legislation;
- Make a schedule of events that need to occur.

Introduction and Background

As you have no doubt heard, there is new legislation covering occupational health and safety (OHS) in NSW. On 1 August 2002 I was asked by the Head of School to coordinate **OHS Risk Management (OHSRM)** in the School, and it is in this capacity that I am writing to you.

To date, the new legislation consists of two parts: the Act (the *Occupational Health and Safety Act 2000*) and an accompanying Regulation (the *Occupational Health and Safety Regulation 2001*). This legislation replaces and consolidates most of the prior OHS legislation in NSW. There are two exceptions: most of the new legislation does not apply to mines, and existing legislation applying to shops remains in force in addition to the new legislation.

The new legislation applies to all workplaces in the State, and covers both employees and all others who are legally at the workplace. The legislation comes into force on **1 September 2002**, and has severe penalties for non-compliance.

The new legislation requires that a risk management approach to workplace safety be taken, and that the approach involves *all employees*. Risk management involves identifying risks, controlling them, and periodically reviewing the effectiveness of the controls. There are specific requirements for consultation between the employer and the employees at all stages of the risk management process. I will comment on my interpretation of “employee” and “employer” in the context of the School later in this memo. The legislation continues to require the *employer to be responsible* for OHS in the workplace, and for implementation of measures to ensure a safe workplace.

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The new legislation refers to **OHSRM Committees** and/or *Representatives* that represent employee *workgroups*, which are groups of people who work together in similar or related jobs. A workgroup would usually perform work in a particular physical area, such as a group of labs, although this is not essential. In practice, the entire School is a workgroup, which itself is one part of the Faculty workgroup. Within the School, there are already a number of reasonably well delineated workgroups. As I interpret the new legislation, the “employer” of the School workgroup is the Head of School, referred to as the “Controller of Premises” in the legislation. All other persons in the School, including casual tutoring and demonstrating staff but not including contractors or unpaid visitors, are “employees” of the School workgroup.

Specific Proposals

I propose that the School workgroup be represented by a committee (the “**OHSRM Committee**”) that contains persons of various designations (academic, administrative, technical and student) and from the three buildings (J04, J07N and J07S), plus the Head of School as an employer representative. The committee would represent “employees”, and provide recommendations to the School workgroup “employer”. The committee would undertake **OHSRM** review within the School, maintain the required documentation, and liaise with providers of resources, services and funding. The legislation requires that any committee is chaired by an employee. For a workable arrangement, smaller “sub-workgroups” should be set up within the School, with each corresponding to a functional area of authority, such as ACFR, Administration, etc. Each of

these sub-workgroups will have a nominated manager or supervisor, who is the “employee” of the people in the sub-workgroup for the purposes of the legislation. Each nominated manager or supervisor has legal responsibilities under the legislation. I understand that these can easily be discharged by following the Occupational Health and Safety Risk Management (OHSRM) process set up by the University. **I propose** that sub-workgroups corresponding to functional areas of authority should be set up within the School, each with a nominated manager or supervisor.

The legislation also requires *election* of representatives or committees to represent workgroups. **I propose** in the first instance to nominate the persons listed in Table 1 and Table 2 as members of the School OHSRM Committee, and as managers/supervisors of sub-workgroups, and ask here if they would be willing to stand for election if required. Please note again that a workgroup does not relate specifically to a particular physical area, but rather to the objects and activities carried out by a group of people, usually in some common physical area or areas. For efficiency, I have also tried to avoid workgroups containing only two or three people.

Table 1: Proposed School OHSRM Committee members.

Person	Notes
Academic Staff Member	<i>to be determined</i>
Anne Robertson	
Hasso Nibbe	
Head of School	Employee Representative
Postgraduate Student	<i>to be determined</i>
David Rye	OHSRM Coordinator

Table 2: Proposed School of AMME OHSRM workgroups.

Workgroup	Supervisor	Notes
ACFR	Hugh Durrant-Whyte	Includes Mechatronics Lab
Administration	Vinita Martin	Includes Attendants, Contract Staff
Bio-X	Dennis Bobyn	Advanced Bio-Materials, Biomedical, Biomechanics
CFD	Stephen Armfield	Also includes “Aero” CFD
Combustion	John Kent	
Design	Tong Liyong	FEARC, smart structures. Also includes non-ACFR UAVs, “Mech” design.
Flight Simulator	Peter Gibbens	Specific high-risk plant
Manufacturing	Zhang Liangchi	
Materials	Mai Yiu-Wing	or Ye Lin?
Rheology	Roger Tanner	or Matti Keentock?
Teaching	Paul McHugh	Shared teaching activities - theatres, labs, open space, computer rooms, teaching projects (SAE, Jabiru).
Workshops	Greg Cumberland	Mech and Aero main and student workshops
Wind Tunnels	Doug Auld	Specific high-risk plant – e.g. high-speed tunnels

In addition to these sub-workgroups, **I propose** that each person in charge of a Unit of Study would be the supervisor of the casual tutors and demonstrators (postgraduate, undergraduate and others) in the Unit of Study.

Please let me know as soon as possible if you are *not* willing to serve as a manager/supervisor of a workgroup. If I do not hear from those nominated, I will assume that they are willing to serve. I welcome suggestions as to more appropriate composition of the workgroups.

Regular consultation on **OHSRM** within workgroups (at all levels) is required, as are defined procedures for the steps 1 to 5 above. ***I propose*** that the steps 1 and 2 be done within each of the School's sub-workgroups, and that steps 3 to 5 be done jointly by the manager or supervisor of each workgroup and myself, in consultation. ***I propose*** that the School **OHSRM** Committee meet periodically as required, and that each manager or supervisor of a sub-workgroup should attend the meetings only when there is an item relevant to that sub-workgroup on the agenda.

I have put up a web site (<http://www.acfr.usyd.edu.au/ohsrm/>) containing links to some reference documents. This site is under active development at the moment, and **is now linked** from the main AMME web page.

Please contact me (preferably by email to rye@aeromech.usyd.edu.au) if you have questions, as I am sure that you will have, or to make suggestions.

David Rye
OHSRM Coordinator.