



Employer Toolbox

A guide for horse and greyhound industry employers in Australia



Acknowledgements

Horse SA
Racing Victoria
Gaye Gauci
Greyhound Racing NSW

Photos: Julie Fiedler
AgriFood Skills Australia
David Aldred

Disclaimer

As an employer, you need to make yourself aware of the laws that govern your employment relationships and the responsibilities attached to them. The Industrial Relations landscape has changed quite considerably over the past few years and the law in this area changes frequently.

Most employment relationships in Australia are now covered by the new national Fair Work System, which commenced operation on 1 July 2009, and is governed by Fair Work Australia (FWA). FWA is the national workplace relations tribunal, an independent body with power to carry out a range of functions relating to:

- » The safety net of minimum wages and employment conditions;
- » Enterprise bargaining;
- » Industrial action;
- » Dispute resolution;
- » Termination of employment; and
- » Other workplace matters.

Fair Work Australia has a wealth of resources available publicly as well as phone and email support services, details of which are listed on the website www.fairwork.gov.au

It must be stressed that the information contained on the following pages is intended as an outline only and is not a substitute for your own independent legal advice. If you are in doubt, or need further information, please contact Fair Work Australia or seek advice from a qualified industrial relations lawyer. Because the law in this area changes frequently, it is impossible to ensure that the information in this document will remain accurate at all times.

AgriFood Skills Australia and its employees and contractors do not assume any legal liability or responsibility for the accuracy, completeness or usefulness of any information, product or process disclosed in this document. The content is provided in good faith and although every effort has been made to ensure the accuracy of the information at the time of printing, no warranty express or otherwise is given.

© AgriFood Skills Australia 2011
Version Control Indicator/Date 02.08.2011

All or part of this document is an outline only. Personalised legal or independent advice may be required and no warranty is given as to the correctness of the information in this document.

AgriFood Skills Australia
Level 3, 10-12 Brisbane Avenue
Barton ACT 2600
www.agrifoodskills.net.au

INTRODUCTION

Australia's agrifood industry is evolving at a rapid pace. With innovation, science and technology as the major drivers of improved agrifood productivity, the industry is affirming its position as world-class and cutting edge.

What has failed to keep pace is the number of skilled workers required to fill the demand. As the industry faces the challenge of ramping up its attraction and retention efforts to address an ageing workforce, it is time employers began playing their role, promoting themselves and these vibrant industries to job seekers and the next generation.

The concept of 'employers of choice' is not just about offering employees the highest pay; research has revealed that lifestyle and job benefits can be of greater value to an employee than pay alone. Employers need to position themselves as 'employers of choice' if they are to attract and retain skilled workers, and it involves using contemporary job descriptions that encourage and recognise training and qualifications, conducting regular staff appraisals, offering set hours that are family- or lifestyle-friendly. Moreover, it is about understanding the benefits and support employers can offer as a package to employees, such as leave entitlements and on-the-job training and support.

AgriFood Skills Australia has tested the 'employer of choice' model in Narrabri in north west NSW as part of its pilot regional initiative, and has found that numerous local employers are willing to work together to address the broader challenge of keeping skilled workers and families in the region. The same challenge currently faces the Australian racing industry.

This Employer Toolbox aims to provide support and advice for Australian horse and greyhound industry employers. This resource will go some way in helping to raise the profile of the industry and ensure a quality labour supply, now and into the future.



Arthur Blewitt
CEO
AgriFood Skills Australia



How to use this Toolbox

Each Chapter provides a brief overview of different aspects of employment which is colour coded for the Employer's convenience e.g. if information is being sought in relation to Occupational Health, Safety & Welfare, it can be located in the corresponding colour coded Chapter.

Each Chapter will refer to a number of Annexures which have been prepared as examples of various documentation and forms together with guidance notes which have been included at the end of this Toolbox.

The Toolbox will be regularly updated and additional Annexures may be available from time.

Racing industry employers are encouraged to register with AgriFood Skills Australia via their website www.agrifoodskills.net.au to download the latest version of the Toolbox and receive email alerts about new Annexures or document updates.

Glossary

Annexure means an Annexure to this Toolbox.

Award means the *Horse and Greyhound Training Award 2010*.

clause means a clause in the *Horse and Greyhound Training Award 2010*.

Fair Work Act 2009 (Cth) means an Act relating to workplace relations, and for related purposes administered by: Attorney-General's, Education, Employment and Workplace Relations.

National Employment Standards means the National Employment Standards as contained in sections 59 to 131 of the *Fair Work Act 2009 (Cth)*.

NES means the National Employment Standards.

section means a section in the NES.

Chapter means a chapter in this Toolbox.

CONTENTS

CHAPTER 1: BEING A GREAT EMPLOYER 1

- 1. Two Minute Guide to Being a Great Employer 2

CHAPTER 2: EMPLOYING STAFF 3

- 2. New Employees 4
- 3. During Employment 5
- 4. Employment Obligations 6
- 5. Basic Employment Conditions 6
- 6. Award Conditions 8
- 7. Employed or Self-Employed (Employee/Contractor) 8
- 8. Contractors 9
- 9. Categories of Employee 9
- 10. Hours of Work and Overtime 9
- 11. Award Transitional Arrangements 10
- 12. PAYG Taxation 11
- 13. Training and Development of Staff 11
- 14. Mandatory Training 11
- 15. Apprenticeships & Traineeships 12
- 16. Wages and other benefits 12
- 17. Deductions from pay 13
- 18. Minimum holiday and other leave entitlements 13
- 19. Personal leave (sick and carer's leave) 14
- 20. Compassionate leave 14
- 21. Allowances 15
- 22. Accommodation, Travel and Relocation 16
- 23. Long Service Leave 17
- 24. Work Experience 17

CHAPTER 3: RECRUITMENT & MANAGEMENT OF STAFF 19

- 25. The Recruitment Process 20
- 26. Forms 20
- 27. Records 21
- 28. Implementation of the Recruitment and Selection Procedures 21
- 29. Advertising 21
- 30. Interviews 22
- 31. Health Assessment (Medical) 22
- 32. Reference Checks 23
- 33. Offer of Employment 23
- 34. Inductions 25
- 35. Overseas Workers 25
- 36. Workers who do not have English as their First Language 26

37.	Indigenous Employees	26
38.	Performance Reviews	26
39.	Performance Discussions	29
40.	Disciplinary Process	30
41.	Grievances	30
42.	Dispute Procedure	31
43.	Identifying Problems at Work	32
44.	Dismissal	32
45.	Amendment or Change to Employee's Letter of Employment	34
46.	Equal Opportunities in the Workplace	34
47.	Redundancy	35
48.	Privacy	35

CHAPTER 4: FAMILY FRIENDLY EMPLOYMENT 36

49.	Parental Leave and Related Entitlements	37
50.	General rule for Adoption-related leave	37
51.	Transfer of Employment Situations	38
52.	Entitlement to Unpaid Parental Leave	38
53.	Pregnant Employees	39

CHAPTER 5: WORKPLACE HEALTH AND SAFETY 41

54.	Introduction	42
55.	Employee Responsibilities	42
56.	An Injured Employee	43
57.	Occupational Health, Safety & Welfare Committee	43
58.	General Safety Rules for Employees	44
59.	Sun Smart	45
60.	Protective Clothing (PPE)	45
61.	House Keeping	46
62.	First Aid	46
63.	Smoking in the Workplace	46
64.	Alcohol and Drug Policy	48
65.	Electronic Tag and Testing	48
66.	Manual Handling and Lifting	48

CHAPTER 6: CRITICAL INCIDENT MANAGEMENT 50

67.	Fire and Emergency Evacuation	51
68.	Fire Training	51
69.	Fire Extinguishers	51
70.	Loose Horses	52
71.	Biosecurity	52
72.	Tools for Employers	52

CHAPTER 7: CONTACTS 54

73.	Contacts for Employers	55
-----	------------------------	----

Part A Annexures, Example Templates, Award and Links

A.	Job Description – <i>Example</i>	57
B.	Rehabilitation Policy – <i>Example</i>	59
C.	Model OHS Policy	62
D.	Induction – Example	64
E.	Incident Report Form – <i>Example</i>	67
F.	Letter of Offer of Employment / Statuary Declaration / Model Response to an Application Letter / Employment Application – <i>Examples</i>	69
G.	Cash Advance & Pay Deductions	83
H.	Control of Contractors Policy	84
I.	Contractors Induction Checklist	85
J.	Code of Conduct	86
K.	Performance Review Template – <i>Example</i>	87
L.	Fair Work Information Statement	88
M.	Workplace Bullying & Harassment Policy	89
N.	Disciplinary Process	93
O.	Incident & Accident Reporting Process	98
P.	Hazard Management Policy	104
Q.	Hazard Management Procedure	106
R.	Stable Hazard Inspection Sheet	110
S.	Works Request Hazard Report	119
T.	Hazard Register	120
U.	Weekly Supervisors Hazard Checklist	121
V.	Hazardous Substances Policy	122
W.	Hazardous Substances Procedure	124
X.	Risk Assessment Hazardous Substances	128
Y.	Hazardous Substances Register	132
Z.	Risk Assessment Checklist Horse Management Plant & Equipment	134
AA.	Manual Handling Procedure	144
BB.	Risk Assessment Checklist Manual Handling	146
CC.	Standard Operating Procedure Catching & Handling Horses	148
DD.	Fire & Emergency Evacuation Procedure – <i>Example</i>	149
Part B	Horse and Greyhound Training Award 2010	156
Part C	Summary of the National Employment Conditions	157
Part D	Biosecurity Plan Template– <i>Example</i>	158

CHAPTER 1

BEING A GREAT EMPLOYER

1. Two Minute Guide to being a Great Employer

1.1 To meet their obligations, Employers must be able to answer YES to all of the following:

1.2 Employers must ensure they have the following:

- » Written position description (see Annexure A – *Example*);
- » Workers Compensation Policy;
- » Written Rehabilitation Policy (see Annexure B);
- » *Horse and Greyhound Training Award 2010* (see Part B);
- » Time & Wages records management system;
- » PAYG Tax tables;
- » Superannuation information;
- » First Aid provisions and signs in the workplace; and
- » Written Safety Policy (see Annexure C – OHS Policy).

1.3 Employers must be aware of their obligations towards Employees and have or provide the following:

- » An Induction (see Annexure D – *Example*);
- » Incident Report form (see Annexure E – *Example*);
- » Provision of relevant safety equipment;
- » Arrangements in place for wages and conditions of employment for Employees;
- » Training for new Employees and provisions to enable safe working;
- » Provision of safe work environment (see Section 5 on Workplace Health & Safety);
- » A suitable Letter of Offer of Employment (see Annexure F – *Example*); and
- » Arrangements to deduct rental for accommodation and obtained permission for any pay deductions (see Annexure G – Cash Advance & Pay Deductions – *Example*).



This document is an outline only. Personalise d legal or independent advice may be required and no warranty is given as to the correctness of the information in this document.

CHAPTER 2

EMPLOYING STAFF

2. New Employees

- 2.1 Employers must, whilst portraying the positive and attractive aspects of a position to a prospective Employee, provide a true and accurate representation of the position being offered.
- 2.2 It is recommended that Employers offer a competitive salary and listen to any queries or benefits an Employee may be seeking such as training opportunities or a specific day off work each week to attend a sporting club for training purposes.
- 2.3 When recruiting or selecting new Employees, Employers must take care not to breach certain laws including equal opportunity and anti-discrimination, sexual harassment, competition and consumer laws (which have replaced the trade practices laws) and relevant State or Territory fair trading and industrial relations laws. Non-compliance or breaches of these laws may result in legal action being taken against an Employer.
- 2.4 When an Employer is considering a candidate for a position within their business, it is recommended that in addition to interviewing the candidate, the Employer also conduct a reference check to confirm the candidate has the skills required to undertake to position being offered and whether they will be a good fit for their business, as some candidates will be more familiar and perform better during the interviewing process than others. Assessment of a candidate can also be made by an Employer including other Employees in their team to get to know a potential Employee and ask for some feedback from them before a final decision to appoint the candidate is made.
- 2.5 The Employer should provide an offer of employment (in writing) to a potential Employee clearly setting out the duties and responsibilities expected of the Employee, the hours of work, remuneration and superannuation, leave entitlements, compliance with the Employer's business policies, procedures and guidelines and other terms as set out in the Letter of Employment.
- 2.6 The probationary period (usually four (4) weeks) provides a good opportunity for:
 - (a) both the Employee and Employer to get to know one another;
 - (b) the Employee to get to know any other Employees;
 - (c) the Employee to familiarise him/her self with their duties and responsibilities;
 - (d) Employer to assess the skills of the Employee and how well the Employee fits in with the Employer's workplace; and
 - (e) for the Employer to review the new Employee's performance, keep them informed of their progress and obtain any feedback the new Employee may wish to offer, such that there are no surprises.
- 2.7 It is recommended that the Employer provide an appropriate orientation for the new Employee in the workplace by working through a structured induction and if possible set up a "buddy" (work friend) for the new Employee. This strategy assists with a new Employee's successful integration into the Employer's workplace.
- 2.8 Where an Employer appoints an "experienced person", it must be remembered that each work environment is slightly different. The recommended recruitment process which

includes, but is not limited to, providing a new Employee with a position description, Letter of Employment containing the terms and conditions of employment, copy of each of the Employer's business policies, procedures and guidelines and a well-structured induction will provide an Employee with a smooth transition into the Employer's place of work.

3. During Employment

- 3.1 The best Employers provide guidance and support where it is needed whilst also encouraging their Employees to use their initiative to carry out the daily routine without constant reminders and interference.
- 3.2 However, Employers must demonstrate that they are responsible through training, supervision and record keeping that the Employee is competent to perform each task in the course of their work.
- 3.3 Employees do not generally get out of bed in the morning to go to work in the early hours of the day to do a "bad job". However, some Employees need more encouragement and positive feedback than others. Most Employees are keen to do a good job and many will benefit from training and development in their work.
- 3.4 Safety has to be the number one priority. Health & Safety falls under Criminal law and can therefore have serious consequences for an Employer who is found to be in breach of health & safety obligations. Setting up a safe system of work, conducting risk assessments and hazard identification and involving Employees in this will help everyone to understand their obligations and provide a safe workplace for all.
- 3.5 Regular feedback is important. Just as an owner likes to know how their horse is progressing in its work, Employees need to feel valued and their contribution recognised. While some Employers don't always get it right, it is usually possible to say something positive before dealing with areas for improvement. Feedback can be informal, given in a specific situation or in a more formal setting as part of a planned review cycle. A "well done" and/or a "thank you" generally goes a long way, and offering an opportunity for an Employee to learn something new can be a great motivator.
- 3.6 Employers must be honest in their comments and actions i.e. not say one thing and do another. If an Employer asks for an Employee's opinion, the Employer should either act upon it or provide an explanation as to why it is not possible or practicable. It is prudent for Employers to be open to suggestions – sometimes Employees carrying out the work are in the best position to offer solutions.
- 3.7 It is often said that people do not leave their jobs, they leave their Employer. If an Employer is having difficulty finding people to work for them, rather than blame the industry or the generation, it is often useful for an Employer to consider their management style and amount of time which they invest in the communication and training of Employees necessary to keep Employees enthusiastic and happy in the workplace.

4. Employment Obligations

- 4.1 It is a legal obligation for any person and/or business that provides paid work, be it permanent, part-time or casual, to have available in the workplace copies of the current applicable Award for inspection by any Employee and inspectors including those from Federal Department, State and Territory Workplace authorities such as WorkCover.
- 4.2 Employers and Employee(s) must both observe the applicable Award in place at the time, the National Employment Standards and associated labour laws which apply to the industry and/or occupation.
- 4.3 Duties, wages, working hours and conditions should be mutually agreed and recorded in writing between an Employer and their Employee(s) before commencement of employment.
- 4.4 The purpose of an OH&S Act is to prevent injuries and illness at work which can be assisted by Employers consulting with their Employees, particularly injured Employees, to highlight any workplace health and safety issues and suggest potential solutions.
- 4.5 Under the relevant WorkCover requirement in each State and Territory, Employers are responsible for:
- (a) providing a safe workplace i.e. Employers are legally obliged to protect the health, safety and welfare of their Employees and any other people who could be adversely affected by work carried out by the Employer's business under the relevant Occupational Health and Safety Act (OH&S Act) in their State or Territory e.g. Employers are responsible for providing:
 - (i) a safe and healthy working environment;
 - (ii) safe systems of work;
 - (iii) plant (e.g. machinery and equipment) and substances in a safe and well maintained condition;
 - (iv) adequate facilities; and
 - (v) adequate information, instruction and training to their Employees.
 - (b) registering with WorkCover – registered Employers are required to pay a levy each year which contributes to the funding of the relevant of the relevant State or Territory Scheme which provides protection to Employees and Employers from claims costs in the event of a workplace injury; and
 - (c) rehabilitation and return to work requirements (see Annexure B – Rehabilitation Policy – *Example*). Employers must have appropriate arrangements in place to support an early and safe return to work of an injured Employee as soon as reasonably practicable. This may mean returning the Employee to work for reduced hours or to alternative tasks in consultation with the treating doctor are deemed suitable for the Employee at any stage in the recovery period. For further information Employers should refer to the applicable WorkCover organisation in their State or Territory.

5. Basic Employment Conditions

- 5.1 Employers must provide the following:

- (a) fair wages and conditions of employment (see Minimum Wages and Related Matters in Part 4 of the Award);
- (b) a safe work environment, free from hazards, discrimination and harassment (see Section on Workplace Health & Safety);
- (c) employment conditions which allow Employees to balance work and family (see the National Employment Standards);
- (d) fair ways to resolve disputes in the workplace (see clause 9 of the Award); and
- (e) opportunities for Employees through consultation to be involved in decisions that directly affect them and for them to be able to offer suggestions for improvement or change.

5.2 Summary of the National Employment Standards (see Part C of this Toolbox)



The National Employment Standards (as may be amended from time to time) specify the following:

- (a) Hours of Work – the ordinary hours of work in a week is 38 hours plus reasonable overtime;
- (b) Ability to request flexible working arrangements;
- (c) Parental Leave – an Employee, other than a casual Employee, is not entitled to leave (other than unpaid pre-adoption leave) unless the Employee has, or will have, completed at least 12 months of continuous service immediately before the date of birth or placement or expected date of birth or placement of the child. An Employee is entitled to 12 months of unpaid leave after the birth or placement of the child. The date that applies for a member of an Employee couple taking a period of unpaid parental leave that is to start after the period of unpaid parental leave of the other member of the Employee couple is the date on which the Employee's period of leave is to start. Leave taken by an Employee couple who each intend to take leave must take the leave in a single continuous period, however, unpaid limited concurrent leave may be taken if it complies with certain requirements. If the member of the Employee couple whose period of leave starts first is a female Employee who is pregnant with, or gives birth to, the child – the period of leave may start up to six (6) weeks before the expected date of the child, but must not start later than the date of birth of the child. For further information, see Part C – the National Employment Standards;
- (d) Annual Leave of four (4) weeks per year which accrues every 4 weeks;
- (e) Personal Carer's Leave of two (2) weeks per year;

- (f) Community Services leave. This is a new entitlement which allows Employees to take unpaid leave to engage in prescribed community service activities such as fire fighting;
- (g) Long Service Leave;
- (h) Public Holidays - right to paid leave;
- (i) Notice of termination and redundancy pay – minimum standards; and
- (j) Fair Work Information Statement (see Annexure L).

6. Award Conditions

- 6.1 For each industry there is an award which details the minimum standards and conditions which Employers must provide to their Employees. In relation to the Harness, Thoroughbred and Greyhound racing industries, the Horse and Greyhound Training Award 2010 (Award) sets out these conditions (see Part B). The Award includes the basic rate of pay. Employers must keep up-to-date with changes made to the minimum pay scales which may be amended from time to time.
- 6.2 Employers must become familiar with the Award and the classifications in it since there are differences between a Stablehand and a Training Assistant e.g. there are different payment arrangements for each classification of Employee. Employers must not provide less than the minimum payment and conditions outlined in the Award.

7. Employed or Self-Employed (Employee/Contractor)

- 7.1 The law distinguishes between those for whom the Employer provides a contract or letter in which an offer of employment is made and those who offer their services for hire (contract for services).
- 7.2 An Employee is a person who provides services as a full-time, part-time or casual worker and the Employer is responsible for the payment of tax and superannuation.
- 7.3 A contractor generally works under a contract on the basis of a fee for service, and is usually responsible for his/her own tax payments. The Employer may also be responsible for superannuation contributions for the contractor if the contractor is acting in the same capacity as if he/she were an employee. This will depend on the nature of the relationship between the employer and contractor and the extent of control the employer has over the contractor's duties.
- 7.4 Under the "Employee/Contractor decision tool" provided by the ATO, there are currently particular criteria that should be used as guidelines to determine the true relationship of the worker. One of the influencing criterion is whether one party has the right to directly control the tasks performed and the way in which the work is done. Trackwork riders may be self-employed and ride for a number of trainers under a contract for service.

Note: In July 2008, the Council of Australian Governments formally committed to the harmonisation of work health and safety laws (proposed WHS Legislation) by signing an Intergovernmental Agreement for Regulatory and Operational

Reform in OHS (IGA).

The IGA outlines the commitment of all States and Territories and the Commonwealth to work together to develop and implement model work health and safety laws as the most effective way to achieve harmonisation in Australia.

On 3 April 2009 the Workplace Relations Ministers' Council (WRMC) endorsed the creation of Safe Work Australia.

An independent panel has reviewed work health and safety laws in each State, Territory and the Commonwealth and advised WRMC on the optimal structure and content of a Model Work Health and Safety Act that can be adopted in all jurisdictions. However, until the Model Work Health and Safety Act is adopted, Employers will need to refer to the ATO as referred to above.

8. Contractors

- 8.1 Contractors are frequently found on the premises of a horse trainer. This may include, but not be limited to, a person who is engaged to build fences, stables and yards, a farrier or other equine therapist.
- 8.2 A contractor has an obligation to operate a safe system or work and has to consider the same responsibilities and liabilities for any person(s) engaged by him, such as an apprentice farrier. However, the Employer should be aware that contractors should receive proper orientation and induction to the workplace and be given the same opportunities to work safely. For more information, see Annexure H – Control of Contractors Policy and Annexure I – Contractors Induction Checklist.

9. Categories of Employee (see clause 10 of the Award)

- 9.1 Full-time is a permanent Employee who works 38 hours a week.
- 9.2 Part-time is a permanent Employee who works a regular pattern of hours which is less than 38 hours a week. Part-time Employees receive the same terms and conditions of employment as full-time Employees on a pro-rata basis. This includes a right to overtime payment.
- 9.3 A casual Employee can be asked to work up to 38 ordinary hours a week, with reasonable over time but does not have a set pattern of hours.

Refer to the Award for conditions relating to casual and permanent categories of employment.

10. Hours of Work and Overtime

- 10.1 The ordinary hours of work for all Employees shall be 38 hours and can be rostered over



five (5) full day or over four (4) days and two (2) half days, Monday to Saturday. Sunday work is paid at double time.

10.2 Reasonable overtime depends on a number of factors:

- (a) any risk to the Employee's health and safety from working additional hours;
- (b) the Employee's personal circumstances, for example family responsibilities;
- (c) the operational requirements of the business;
- (d) the amount of notice given by the Employer to the Employee of the request to work additional hours; and
- (e) when the additional hours are worked.

10.3 Employers must provide Employees with a roster one week before it is due to commence. For more information, see Clause 18.1 of the Award – Hours of Work and Related Matters.

11. Award Transitional Arrangements

The Horse and Greyhound Training Award 2010 came into effect in January 2010 but there are transitional arrangements in place relating to some aspects concerning payment. The Transitional Arrangements of Fair Work Australia provide for monetary conditions effective from 1 July 2010 and will continue until the end of 2014.

11.1 The monetary conditions are:

- (a) Minimum wage rates;
- (b) Casual and part-time loadings;

- (c) Saturday, Sunday and public holiday penalty rates; and
- (d) Evening and other penalty rates.

11.2 Employers already operating a business will have decided whether to implement the new Award pay scales and penalties or to phase in the new rates. Where Employers previously operated under, and were bound by, a State or Territory Award, the new Award rates of pay are to be phased in over a five year period, using the transitional amount (for wages) and the transitional percentage (for loadings and penalties). This proportion will change annually each July, decreasing over the five year period. The phase in period is not available to Employers previously bound by the Federal based Horse Training Industry Award which has now been superseded by the Horse and Greyhound Training Award 2010. Advice on how to proceed is available from Fair Work Australia and applicable professional Employer representative bodies.

12. PAYG Taxation

Employers must comply with the requirements of the Australian Taxation Office (ATO) and ensure that tax is “paid as you go” (PAYG). Employers must also comply with any other ATO obligations e.g. Fringe Benefits Tax. For further information, consult an accountant, contact the ATO or visit www.ato.gov.au

13. Training and Development of Staff

- 13.1 Training should be regarded as an on-going commitment and therefore part of a planned business expense. Training does not end at the point an induction is completed. At the time there are any changes to the way work is performed, or the environment in which the work is carried out, or if the Employer purchases new equipment, training should be considered and provided where necessary.
- 13.2 Performance Reviews (see Section 38 and Annexure K) may also provide an indication of training and development needs. This may include courses, on-the job learning or another form of training, such as establishing a mentor system for an Employee who has longer term career goals to become a trainer or develop in a particular sector of the racing industry. Such personnel committed to the industry need to be encouraged and given practical support to give of their best and develop their potential.

14. Mandatory Training

In some States and Territories, there is a requirement for certain personnel in the industry to undertake training. Employers should check if particular units of competency are required in order to license Stablehands for their employment. Other mandatory training could be regarded as that which is essential for an Employee to perform safely in their work, to carry out manual handling and lifting, for example, or to meet the requirements for First Aid in the Workplace.

15. Apprenticeships & Traineeships

- 15.1 Apprenticeships and traineeships are a type of agreement between an Employer and an Employee that enables a combination of training and employment to occur within a workplace.
- 15.2 These can be full-time, part-time or school and workplace based and cover all ages including school-leavers, those re-entering the workforce or simply wishing to change careers.
- 15.3 Whilst being paid for work, an Employee can undertake training towards nationally recognised qualifications or gain recognition for existing skills & knowledge.
- 15.4 It is recommended that the Employer and Employee enter into a formal Training Agreement which outlines the obligations of both the Employer and Employee and the qualification to be achieved.
- 15.5 Employees on a traineeship will need to undertake their training component through a Registered Training Organisation which could be a TAFE or privately-run training institute.
- 15.6 Apprentice jockeys will have specified arrangements organised through their State or Territory Principal Racing Authority (PRA).
- 15.7 Financial incentives are available for Employers to employ a trainee. Advice on how to sign up a trainee, current incentives and personal support to assist with the process is available through local Australian Apprenticeship Centres.

16. Wages and other benefits

- 16.1 The basic hourly rate of pay is contained in clause 13 of the Award. For further information, contact Fair Work Australia about the applicable rate of pay that prevails at the time.
- 16.2 Employers **must**:
- (a) provide Employees with a payslip within one (1) working day of the Employee receiving their pay. The payslip must specify details such as the name of the Employer, Employer's ABN, name of Employee, the amount paid, amount of tax deducted, superannuation contribution made and the date when payment was made;
 - (b) make regular payments in accordance with clause 13 of the Award;
 - (c) keep records relating to Employee wages and time worked for seven (7) years; and
 - (d) pay the statutory Superannuation contribution to an Employee's superannuation fund. The amount payable is currently 9% of the Employee's ordinary earnings (i.e. overtime payments or allowances do not have to be included).

16.3 For more information about Superannuation payments and Employer's obligations, contact the Australian Taxation Office (ATO) or go to www.ato.gov.au and search "superannuation guarantee meet your obligations". Additional information will be provided by any of the superannuation funds listed in clause 19 of the Award.

17. Deductions from pay

17.1 The *Fair Work Act 2009* (Cth) provides information as to which deductions from an Employee's pay are permitted.

17.2 Employers may:

- (a) deduct amounts for the Employee's benefit if the Employee authorises the Employer to do so in writing (see Annexure G – *Example*);
- (b) deduct overpayment of wages as long as the deduction is reasonable in the circumstances;
- (c) recover damages to the Employer's property, provided that it is reasonable and has been discussed with the Employee; and
- (d) cover the cost of board and lodging if the Employee is living on or adjacent to the property. The deduction should be discussed with the Employee and should not be greater than the cost to the Employee if they had found their own accommodation (see the Award).

TIP

Keep a record of all deductions, damages recovered and costs referred to in 17 (a) - (d).

18. Minimum holiday and other leave entitlements

Annual Leave

18.1 Annual leave accrues and needs to be credited to the Employee, on a pro-rata basis (proportion of the whole entitlement). For each completed four (4) week period of employment, annual leave is calculated at the rate of $\frac{1}{3}$ of ordinary hours worked.

18.2 Annual leave must be taken within eighteen (18) months of the entitlement accruing. The Employer may ask the Employee to take a period of annual leave from a particular date but should provide adequate notice (at least twenty eight (28) days' notice).

18.3 The Employee is entitled to an additional loading of 17.5% of the ordinary hour's weekly wage paid prior to the start of each leave period. Under some enterprise agreements, annual leave loadings may be absorbed into rates of pay.

Note: Annual leave does not apply to Casual Employees. Clause 10.4 of the Award stipulates that casual Employees must be paid the appropriate minimum wage prescribed in Clause 13 (Classifications and minimum wages), calculated hourly plus a loading of 25% in lieu of any annual or public holiday benefits applying to full-time Employees. The loading constitutes part of the casual Employee's all-purpose rate.

19. Personal leave (sick and carer's leave)

- 19.1 The Employee is entitled to a personal/carer's leave entitlement which includes both sick and carer's leave of $\frac{1}{26}$ of the ordinary hours worked by the Employee for each completed four (4) week period.
- 19.2 In addition, the Employee is entitled to two (2) days per occasion of unpaid carer's leave once they have exhausted the entitlement to other paid personal leave entitlements.
- 19.3 Personal leave can be accessed when:
- (a) the Employee personally suffers an illness or injury (sick leave) and is unable to attend work, or
 - (b) when the Employee is required to provide care or support to a member of the immediate family or household because they are sick or injured or when the Employee has an unexpected emergency (carer's leave).
- 19.4 Paid carer's leave can be taken for up to ten (10) days per annum even if an Employee has a higher level of personal leave available.
- 19.5 On each occasion that the Employee requires sick or carer's leave, the Employer should have arrangements in place so that as soon as reasonably practicable, the Employee can notify the Employer of the absence from work and the reason for the absence (i.e. sick or carer's leave).
- 19.6 The Employer may ask the Employee to provide a medical certificate for each occasion of personal leave taken. The Employee will not be required to produce a medical certificate where the circumstances would make it unreasonable for them to do so. In this case if requested by the Employer, the Employee must provide a statutory declaration (see Annexure F) that sets out the reason for an absence and why the Employee could not obtain a medical certificate if asked to do so. Failure to provide either a medical certificate or statutory declaration proof may result in non-payment of personal leave.
- 19.7 The Employee must receive payment for the day of the absence based on the minimum standards of the Award. The hours paid as personal leave will be deducted from the accrued entitlement.
- 19.8 All paid personal leave counts as service and does not break an Employee's continuity of service.
- 19.9 Personal leave will accrue and must be credited to the Employee after each completed four-week period.

20. Compassionate leave

- 20.1 A permanent Employee is entitled to take 2 (two) paid days per occasion of compassionate leave when a member of the immediate family or household:

- (a) contracts or develops a personal illness or incurs an injury that poses a threat to their life; or
- (b) dies.

- 20.2 The Employee must receive payment for the day of the absence based on their ordinary rate of pay.
- 20.3 The Employee may take compassionate leave as two separate periods of a single day or an unbroken period of two (2) days.
- 20.4 The Employer may, on request, require the Employee to provide reasonable evidence of the illness, injury or death on each occasion that compassionate leave is requested.

Note: An Employee who is absent from work without authority is not entitled to be paid.

21. Allowances

- 21.1 Employers must pay an allowance to an Employee where the Employee is required to undertake certain duties and responsibilities during the course of their employment. Allowances are to be paid in the following instances:

(a) Racecourse Attendance

Where the Employee is required to attend a race meeting;

(b) Transport

Transport to attend a race meeting and perform work covered by the award from the Employee's usual place of work to the race meeting unless the Employer supplies transport;

(c) Meal Allowances

- (i) for each meal when required to attend a race meeting unless the Employer supplies the meal; and
- (ii) where an Employee is required to work overtime for more than one and a half hours;

(d) Travel Allowance

When an Employee is required to live and sleep at a place other than the Employee's normal place of residence or where the Employee is required to travel, the Employer must pay the Employee's out-of-pocket expenses before the Employee leaves the Employer's premises;

(e) Protective Clothing and Footwear

- (i) where it is necessary that an Employee wear gumboots, waterproof coats, waterproof half-coats and waterproof trousers, the Employer must reimburse the Employee for the costs of purchasing such clothing not supplied by the Employer.
- (ii) where protective clothing is supplied without cost to the Employee, it will remain the property of the Employer. In the event of an Employee leaving, or being employed where such clothing is not required, the protective clothing must be returned to the Employer in good condition,

fair wear and tear excepted.

(f) Boots, Cap and Vest Allowance

Track riders (including people required to drive or ride horses) must be paid an allowance per week by way of a subsidy by the Employer instead of riding boots, skullcaps and safety vest and each Employee must wear a suitable skullcap, safety vest and riding boots as required.

(g) Adjustment of Expense-Related Allowances

- (i) at the time of any adjustment to the standard rate, each expense-related allowance will be increased by the relevant adjustment factor; and
- (ii) the applicable index figure is the index figure published by the Australian Bureau of Statistics for the Eight Capitals Consumer Price Index.

21.2 For further information, refer to clause 14 of the Award.

22. Accommodation, Travel and Relocation

22.1 Many racing training enterprises are in regional and remote areas of Australia. Suitable people available to work in a stable may not be available in the local region; this especially applies if attractive high paying industries such as mining are also recruiting in the area.

22.2 Employers may need to recruit suitable staff from quite some distance away, too far to expect an Employee to travel to and from work each day.

22.3 This situation requires careful consideration by an Employer when making offers to attract staff to work for their stable.

22.4 Offers may include:

- (a)** assistance with relocation, which in the racing industries may include relocation of personal horses and other pets and livestock; and
- (b)** provision of accommodation on site or assistance with finding accommodation near the workplace.

22.5 Employers must establish clear rules and policies in their workplace to address these types of arrangements.

22.6 As an example, the Employer and Employee must agree in writing to the conditions of agreement before an Employee's horse arrives.

22.7 Rules as to the use of on-site accommodation must be clearly set out (in writing), including:

- (a)** the condition in which the facility is to be kept;
- (b)** prohibiting smoking inside;
- (c)** rules regarding pets; and
- (d)** other issues, similar to those found in a standard rental agreement.

22.8 Regional Employers often work together to attract and keep Employees within a township. Racing industry Employers may also find it is of benefit to seek out and join a local Employer's network.

23. Long Service Leave

23.1 The intention of long service leave is to recognise the lengthy service of an employee and to provide the employee with a substantial period of leave from work.

23.2 As a general rule, an Employee's entitlement to Long Service Leave will be in accordance with applicable award-derived long service leave terms. However, the Award does not make any provision for Long Service Leave.

23.3 The National Employment Standards provides that where there is an Australian Workplace Agreement (AWA) or other instrument such as an enterprise agreement, preserved State or Territory agreement, workplace determination, pre-reform certified agreement, a pre-reform AWA, a section 170MX award or an old IR agreement which came into operation before the commencement of Division 9, section 113 of the National Employment Standards then the applicable award-derived long service leave terms does not apply and the terms of the specific agreement will apply to the employee.

23.4 Where there is no AWA or other instrument in place, Employers will need to refer to their applicable State or Territory Legislation e.g. the *Victorian Long Service Leave (Amendment) Act 2006*.

24. Work Experience

24.1 In a climate where it is often difficult to recruit and retain good Employees in the racing Industry, work experience can play an important part in raising awareness and stimulating interest in the industry. Both mature aged people seeking employment and those in school considering career options are candidates for work experience.

24.2 Young people will probably do work experience at some point during Year 10 or 11. It is a great opportunity for them to gain an understanding of a job and see which skills they are going to need for the world of work.

24.3 During a placement, the school based learner should be able to find out which skills Employers look for when hiring someone to fill a job vacancy.

24.4 With schools, work placements are only available in Years 10 or 11.

24.5 Job Services Australia (www.deewr.gov.au) provides opportunities for training, skills development, work experience and tailored assistance. All job seekers can participate in work experience activities with the support of Job Services Australia.

24.6 Work experience is an important strategy adopted by employment services to assist people in obtaining work. A range of opportunities are available and can be tailored to an Employer's workplace by the employment services in their particular area. Being involved in work experience activities gives prospective new Employees opportunities

to build on existing job skills, learn new skills, network with Employers in the industry and improve an Employer's prospects of filling vacancies while obtaining subsidies from the government for the initial phase where training and supervision play an important part in assisting people to gain work.

- 24.7 Conducting unpaid work experience through the registered employment services or schools ensures that the Employer has a legitimate undertaking which is documented and covered by the necessary insurances. Structured work experience means that the Employer has responsibilities to provide a safe work environment, induction and supervision. However, the experience can lead to the introduction of a new Employee to the workplace that is enthusiastic and interested in learning about the racing industry. Local schools will be interested in working with Employers for those students undertaking relevant courses such as a Certificate I in Racing.

CHAPTER 3

RECRUITMENT & MANAGEMENT OF STAFF

25. The Recruitment Process

- 25.1 This Section is designed to assist the Employer to recruit safely and appropriately. There are professional recruitment services available to assist but in the absence of a specialist, be warned that just like other aspects of being an Employer, there are a range of laws that must not be breached.
- 25.2 The more care that is taken in the recruitment of a new Employee, the more likely it is that the person will turn out to be a useful member of the team, a person who makes a valuable contribution and who will stay in an Employer's workplace for a worthwhile period of time.
- 25.3 This Section aims to promote and maintain professional and confidential procedures for the recruitment and selection of Employees on the basis of commencing a trusting relationship. This will be achieved by:
- (a) adopting fair and equitable procedures, applied consistently and recorded; and
 - (b) providing opportunities for the skills, knowledge and abilities of applicants to be fairly assessed against the tasks required (see Annexure A – Position Description).
- 25.4 The Employer must review the position description prior to advertising a position or recruiting an Employee. As an Employer's business requirements change, it may be necessary to recruit an Employee with a different skill set or the role may need to be changed because there are changes to parts of the business (e.g. if a treadmill is introduced or any other new item of equipment or the work has been re-absorbed through redesign or carried out differently or is outsourced).

26. Forms

- 26.1 Employers will need:
- (a) a position description and selection criteria (i.e. the knowledge, skills and experience necessary to carry out the duties and responsibilities of the position and where applicable, a candidate's qualifications);
 - (b) an application form;
 - (c) an interview record;
 - (d) a reference check; and
 - (e) a pre-employment Health Assessment (as this can vary, the Employer should seek advice from a doctor or a licensing authority where a medical assessment is required).
- 26.2 The aim of the recruitment procedure is to cause the minimum disruption to the business. This is achieved through a planned and managed approach to each recruitment process from review of the position description through to confirming the appointment and induction allowing for a smooth transition of the new Employee into the Employer's place of work.

27. Records

An Employer's records must show the following:

- (a) procedures are followed;
- (b) applicants are treated fairly and equally;
- (c) appointments are made on merit and open to public scrutiny; and
- (d) each job description and rate of pay is reviewed before the position is advertised and filled.

28. Implementation of the Recruitment and Selection Procedures

A consistent approach should be taken in the provision of the same information to all applicants.

29. Advertising

- 29.1 When advertising a position of employment, an Employer must consider the following:
- (a) that the advertisement complies with equal opportunity and discrimination laws avoiding any reference to sex, race, marital status and age;
 - (b) identify the position being advertised e.g. Certificate II Stable Hand or Track Rider able to ride slow work;
 - (c) describe the duties and responsibilities of the position clearly and succinctly;
 - (d) describe the most important aspects of the position;
 - (e) state the minimum selection criteria and specific or desirable attributes required for a candidate to be successful in obtaining the position;
 - (f) state the closing date of applications for the position;
 - (g) where possible, state the date of the interview; and
 - (h) provide the Employer's or Recruitment Agency's contact details for enquiries from interested candidates.
- 29.2 Employers must recognise their legal obligations under the *Equal Employment Opportunity Act 1984* and actively promote equal employment opportunity based solely on merit to ensure that discrimination does not occur on the grounds of gender, marital or family status, pregnancy, race, disability, religious or political convictions or age.
- 29.3 There are a number of prohibited questions, for example questions about marital status and children, such as "are you planning to start a family?" Questions which cannot be asked are those which could be taken as being discriminatory or harassment such as those which might be taken to discriminate on the basis of marital status or carer responsibilities.

30. Interviews

The following standards may be helpful for conducting interviews:

(a) Who should interview

An interview panel is a recommended approach – the interview panel may comprise of at least two, but usually three people. It is advisable for one member of the panel to be independent of the Employer's immediate workplace and who may not be an Employee of the business but a person who understands the role and responsibilities.

(b) Interviewing skills

A member of any interview panel should have previous experience in developing suitable questions and participating in interviews to allow candidates to be given an equal and fair opportunity when compared with other candidates. At least one person interviewing should take notes as a record of the discussions during the interview in case a dispute arises following an interview.

(c) Questions

Questions should be asked to assess the behavioral and technical competency of the applicant, relating specifically to the criteria identified as essential and desirable for the vacant position. Open ended questions that provide each applicant with the opportunity to demonstrate their experience and training, relevant knowledge and ability are preferred. For example, "please provide an example of taking a horse to trials and which tasks you were involved in when at trials".

To avoid asking potentially discriminatory questions, prepare a list of questions relevant to the position, not the person being interviewed. Employers should develop a set of questions prior to receiving applications. The aim is to ask all candidates the same questions, allowing for some additional questions depending upon the responses received.

(d) Assessments

A variety of assessments may be incorporated in the selection process e.g. applicants may be asked to make a presentation to an interview panel or have skills assessed, such as word processing, riding work or catching and restraining horses. Assessments may be carried out by a third party, such as a TAFE so that the insurance liability does not fall to the business.

(e) A pre-employment health assessment may be included in the recruitment and selection process.

31. Health Assessment (Medical)

An offer of employment may be subject to a satisfactory health clearance in respect to the specific job to be done. This is most helpful when there are clearly physical demands on a person, such as the need to perform manual handling and lifting or ride horses. The Employer will pay for an assessment to be carried out by a provider of their choice or, when distance has to be taken into account, by a mutually acceptable doctor.

The assessment may include a drug test. For the health assessment to be useful, the doctor will require information about the tasks to be performed in the role.

32. Reference Checks

References should be obtained to ensure that information provided by the Employee is correct. This may include obtaining certificates and discussing the Employee with a person who has been involved as a course tutor or having a conversation with a recent or current Employer. Again, a prospective Employer must not ask questions which may be discriminatory. Checking facts is the straightforward approach, for example dates of employment, tasks performed and levels of satisfaction with the work. When providing a reference, the person giving the reference has a duty to exercise reasonable care in what they say. Some Employers will only provide a statement of service which includes the dates the person was employed and the job title. They may not comment on the standard of performance. The person obtaining the reference should take reasonable care to ensure that a reference is accurate and does not give an unfair or misleading overall impression.



33. Offer of Employment

33.1 An offer of employment can be made verbally or in writing. It is strongly recommended that an offer of employment is provided in writing, specifying the significant terms and conditions (see Annexure F– Letter of Employment).

33.2 As a guide, the Letter of Employment should include the following information:

This document is an outline only. Personalised legal or independent advice may be required and no warranty is given as to the correctness of the information in this document.

- (a) Names of Employer and Employee;
- (b) Title of Position and copy of the Position Description;
- (c) Commencement Date;
- (d) Term of the Appointment;
- (e) The Term of Employment (fixed term, casual, etc.). If fixed term, the end date must be stated;
- (f) Probation Period;
- (g) Duties and Responsibilities;
- (h) Place of work;
- (i) Remuneration and Benefits – terms and intervals at which payment is made and how (e.g. every fortnight on a Wednesday by electronic funds transfer);
- (j) Superannuation contributions by the Employer;
- (k) Hours of Work, Breaks and arrangements for overtime (rosters);
- (l) Leave entitlements;
- (m) Induction;
- (n) Uniform;
- (o) Protective Clothing and Equipment;
- (p) Confidentiality statement regarding the Employer’s personal and business information;
- (q) Occupational, Health and Safety requirements;
- (r) Conflict of Interest;
- (s) a copy of the Employer’s Policies, Procedures, Guidelines and Code of Conduct and a copy of the Fair Work Information Statement*;
- (t) Termination;
- (u) Return of Property; and
- (v) Declaration by Employee.

*Employees are required under the National Employment Standards to provide all new Employees with a Fair Work Information Statement. A copy of the Statement can be downloaded from www.fairwork.gov.au. The Employer should provide the Employee with two (2) originals of the Letter of Employment signed and dated by the Employer.

- 33.3 Once the Employee has had an opportunity to review the Letter of Employment and seek independent legal advice if so desired, the Employee should sign and date both originals and return one original to the Employer, to place on the Employee’s personnel file, and retain the other original for the Employee’s records.
- 33.4 At the commencement of employment the Employer must provide an orientation and induction for the new Employee.
- 33.5 As part of that process and before the Employee commences work, the Employer must

ensure the Employee provides a range of information to the Employer:

- (a) Tax file number;
- (b) Superannuation fund details;
- (c) Personal and emergency contact details;
- (d) Bank details for electronic funds transfer; and
- (e) any Policies, Procedures, Guidelines and Code of Conduct of the Employer's which are required to be signed by the new Employee.

33.6 If any loans or payments made on behalf of the Employee are to be deducted from the Employee's wages / salary, then a payroll deduction form must be provided to the Employee to complete and return to the Employer e.g. if the Employer provides a cash advance prior to the first wages / salary payment or for expenses upfront to enable the person to commence employment (see Annexure G – Payroll Deduction Authority).

33.7 See Annexure J – Code of Conduct – *Example*.

34. Inductions

It is advisable to provide a structured orientation for every new Employee and record the main points (see Annexure D – Employee Induction) as it is essential to demonstrate that instruction and training has been provided to ensure the health and safety of the new Employee. It is also recognised that new Employees are most vulnerable in the workplace to accident and injury and so induction is a wise precaution. A well-structured and comprehensive induction will assist in providing a new Employee with a smooth transition into their position in the Employer's workplace and quickly become a more productive member of the team. Setting out a professional induction also sets the standard for a new Employee. As a guide, the induction should include:

- (a) the duties and responsibilities of the position and how it fits into the business (see Annexure A – Position Description – *Example*);
- (b) an introduction to other people, their roles and responsibilities;
- (c) details of the terms and conditions of employment, pay and hours of work;
- (d) an introduction to his/her supervisor and advice on reporting arrangements;
- (e) the policies, procedures, rules and guidelines and how they relate to the duties and responsibilities to be performed (e.g. code of conduct, standards of behaviour, responsibilities etc.); and
- (f) an orientation of the workplace facilities and arrangements for emergencies e.g. First Aid, Assembly points, fire control and staff amenities.

35. Overseas workers

35.1 Employers must ensure that any person employed has the right to work in Australia. This means that people from overseas who are seeking employment should have obtained the necessary permission (visa) to work in Australia. Visitors to Australia do not generally have permission to seek employment (excepting those who are on a

working holiday). Employers cannot legally employ people who do not hold an appropriate visa or evidence that the applicant is on a working holiday.

- 35.2 Employers should always sight passports and visas to establish that an applicant has the right to work. This may be a right to work for a temporary period which, under specific circumstances, can be extended. If in doubt, seek advice.
- 35.3 The law in relation to employment of overseas workers is complicated and constantly changing. Different rules apply in regional and metropolitan areas and advice should be sought from a qualified immigration agent. For more information, visit the Department of Immigration and Multicultural Affairs website at www.immi.gov.au

Note: Employers can register with the Department of Immigration and Multicultural Affairs to check whether a prospective Employee has work rights.

Employers must treat overseas workers the same as Australian workers i.e. to treat them differently may result in a breach of equal opportunity or discrimination legislation.

36. Workers who do not have English as their First Language

- 36.1 To provide for workers who do not have English as their first language, a supportive approach to the management of workers often needs to be taken.
- 36.2 Employers can contact their local Australian Apprenticeship Centre which will be able to assist with advice, links to training programs and information on how to assist workers who may require assistance with English and language skills.
- 36.3 Workplace safety information and training is of very high importance. Employers are encouraged to seek guidance on how to support workers, which may include signage in plain English, diagrams, mentoring and audio tapes in the preferred language of the employee.

37. Indigenous Workers

- 37.1 Many Australian businesses have an equal opportunity policy, however, to provide an opportunity for indigenous workers, a targeted approach often needs to be taken.
- 37.2 There are a range of subsidies and training programs available to Employers to support the employment of indigenous workers. Employers can contact their local Australian Apprenticeship Centre which will be able to assist with advice.
- 37.3 A resource kit has been developed for Employers called "Making Indigenous Apprenticeships Your Business". The resource kit can be downloaded from www.australianapprenticeships.gov.au

38. Performance Reviews

- 38.1 Performance reviews can be referred to as a discussion (with a written record to keep both Employer and Employee on track), a feedback session, an appraisal or a meeting. Employers can experiment to see what they can reveal! **Just do it!**
- 38.2 Most people complain about the Employee review process being too cumbersome and forms that are too long. Making a record of the major and significant points of the conversation is important. Keeping it to just one or two pages can put everyone at ease (see Annexure K – Performance Review Template – Example).
- 38.3 Very few people want to be spending hours filling out the paperwork. However, the process of a review is critical for a number of reasons, including but not limited to:
- (a) focussing on the true tasks most important to the business;
 - (b) building strong teams;
 - (c) Employee satisfaction; and
 - (d) the Employer demonstrating their commitment as an Employer to setting Employees up to succeed in their work which is prudent, particularly in the event it is later necessary to consider disciplinary action which may result in termination of employment.
- 38.4 An Employer should deliver effective performance reviews in their workplace and become the leader their Employees can trust. The following ten practical and proven tips may assist Employers in achieving this:
- (a) Plan Meetings in Advance
Decide how often a review will be useful. Informal reviews should take on an ‘as required’ basis but more formal reviews are useful at least every six months. Block and book meetings well in advance. An Employer should schedule a one on one meeting with each Employee. If the Employer does not have an office, a quiet place where interruptions are unlikely to occur should be used.
 - (b) Make Meetings a Priority
Advise Employees that these meetings are a priority and rescheduling is non-negotiable (unless there’s an emergency or unforeseen circumstances). Actions speak louder than words so the same rule applies as much to an Employer as they do to an Employee. Every time an Employer postpones a meeting it sends a message to an Employee i.e. the Employer’s “most valuable asset” that someone or something is more important.
 - (c) Activate a Reminder System
 - (i) Create a “Reminder” at least two weeks prior to each round of meetings with a reminder to check that the meeting rooms are booked and still available.
 - (ii) Remind Employees that they need to begin their preparation too. The most effective approach is a personal one. So use regular team meetings to restate the purpose of performance reviews and expectation such that people arrive well prepared.
 - (iii) Record the review meetings on a highly visible wall planner or chart that everyone can see. It not only serves as a reminder but also quietly reinforces the message that Employees are valued by taking their feedback seriously.

- (d)** Create a system to ensure necessary information is obtained and maintained
- (i) At the beginning of each review cycle, the Employer should collate all information required to conduct the review such as the following:
 - » the Employee's start date and length of service;
 - » a copy of the Employee's current job description to provide to the Employee at the commencement of the review meeting;
 - » a record / list of the expectations discussed at the last review meeting, if a previous review has been conducted; and
 - » a record of any training the Employee has undertaken since the previous meeting and if so, note any changes which may have resulted.
 - (ii) The Employer should retain a photocopy of the Employee's current performance appraisal and file notes on progress and achievements throughout the year. The Employer can also use email folders for each Employee to quickly and easily file copies of relevant messages.
 - (iii) It is important Employers ensure the review process is constructive and non-confrontational. The intention of a review is to objectively evaluate the Employee's performance (based on facts) and provide an opportunity for the Employee to discuss their role, responsibilities and any issues he/she wishes to raise with their Employer, provided such issues are supported with practical examples.
- (e)** Don't Rely On Memory
- (i) Employers should record all progress reviews in writing since the time periods between formal reviews (whether it is six months or a year) are too far apart to rely on your memory as to Employee's prior achievements. It is easy to forget an Employee's earlier accomplishments, particularly where such progress reviews have not been documented. Relying on recent examples may mean that you miss the opportunity to provide positive feedback on an Employee's strengths.
 - (ii) Employers should prepare for a one on one meeting with an Employee by reviewing each file and briefly summarising the Employee's progress and achievements. This is far more effective than relying on memory, particularly where an Employer has several Employees.
- (f)** Involve Employees
- (i) Encourage Employees to consider their performance, what works well for them and what could be improved in the workplace. Ask them to prepare by providing them with a copy of their job description and ask for them to make some notes to bring to the meeting. After all, it's their career and their performance review.
 - (ii) Some Employees feel uncomfortable reviewing their own performance; a personal portfolio makes it much easier for these people to highlight their achievements. For example, if they have paraded a horse and received a strapper's prize for the turnout of the horse, this is something they should be able to discuss. Bringing information to the meeting about equipment failure, time constraints, etc. also helps Employees to explain and substantiate reasons for a lack of progress, particularly where factors were beyond their control.
- (g)** Support the Soft with the Hard
- By maintaining Employee personnel files, it will assist Employers with the

notoriously difficult evaluation of “soft” objectives such as an Employee’s individual contribution to teamwork. Incidents, comments and emails from customers and colleagues can be noted and copied for the file. It all helps to build a more reliable view of an Employee’s interpersonal behaviour.

(h) Communicate

Employers should explain their systems to Employees so they understand the Employer’s actions and reasons for them. Compared with the manager who postpones meetings, makes broad generalisations and relies entirely on memory to determine a final rating, Employers will be seen as the leader and gain the trust of the Employee.

(i) Keep to Schedules

Once an Employer has set up their systems, policies and procedures, they must be kept up to date. With a little planning and preparation an Employer can deliver great results for their Employees. Regular conversations with Employees will assist an Employer to build a strong team and a workforce that feels valued. Most importantly, it assists an Employer to give their Employees a fair and more valuable review (see Annexure K – Performance Review Template – *Example*).

39. Performance Discussions

TIPS

How to use the *Example* form (Annexure K)

(a) Strengths

Focus on Employee’s strengths, use examples that show you have noticed the Employee’s contribution and acknowledge what they do adds value to your business. Highlight the connection between the Employee’s strengths and competency in the work performed. Consider performance competencies that describe their ability to do the job and behavioural standards (see Annexure J – Code of Conduct).

(b) Areas for Improvement and Development

Include 1 - 3 areas for improvement based on the Employee’s performance. Give some thought to one area that if developed would have a positive impact on the Employee’s future contributions in the business and/or their career. Describe what it is you want to have happen. Discuss with the Employee what they envisage the improvement will look like. Describe why developing this performance area is important and how it will add value. Connect the area with a performance competency i.e. ability to drive horse transport could lead to career development as a travelling strapper with horses.

(c) Goals

Areas for development should be translated into goals that are SMART (Specific, Measurable, Achievable, Relevant, Time limited).

(d) Review Previous Goals/Objectives

Create an opportunity to review past goals and objectives. Employers should record Employee goals and objectives in the Employee’s personnel files for review prior to the next review meetings. Be sure to update the goals when objectives and work priorities change. With the pace of change, business priorities and the

goals for those in the workplace can quickly become outdated.

Plan, Do Check and Adapt (P-D-C-A)*

(a) as with anything an Employer does in their business, Employers must **plan** what they are going to do; **do** it, **check** the results or findings and then **adapt**.

(b)*see The Man Who Cured the Performance Review – Graham Winter, published by Jossey-Bass ISBN 9781742169514 (pbk)

There are a number of ways that matters can be raised and solutions found when things are not going as well as expected. In general terms, the Employer is advised to work things out informally and preferably sooner rather than later. This means that a simple misunderstanding or error can be rectified without damage to the workplace relationships and with minimal impact on the performance and productivity in the team. This Section deals with Disciplinary matters, Grievance and Disputes procedures.

40. Disciplinary Process

A disciplinary process aims to enforce acceptable standards of behaviour, the way Employees carry out their job or to manage matters such as short-term frequent absence from work. In a disciplinary situation, there are consequences for the actions of Employees including dismissal in more serious situations (see Annexure N – Model Disciplinary Process).

41. Grievances

- 41.1 A grievance is a concern, problem or complaint raised (usually) by the Employee which may concern their job, terms and conditions of their employment, the Employer's statutory obligations (for example to maintain a safe workplace) and/or the way they are being treated at work.
- 41.2 If an Employee has a grievance, such as they are not receiving their entitlement of a 15 minute break during the morning's work, it is helpful to resolve the matter promptly and directly with the Employee concerned. If an Employer does not deal with a grievance promptly, then situations can lead to a breakdown of trust and confidence in the workplace, which in turn acts to de-motivate Employees and impacts their performance.

TIPS

If an Employee has informed their Employer of the nature of a grievance, and it is not possible to resolve the matter informally, the Employee should be encouraged to raise the matter more formally, in writing clearly setting out the nature of the grievance. The following process should be followed if the Employee advises the Employer of the grievance:

- (a) the Employer must hear the nature of the grievance in a private discussion with the Employee, having collected all the relevant facts and if necessary carry out a full investigation;

- (b)** the Employer should arrange a meeting to discuss the grievance;
 - (i) the Employer must inform the Employee that the Employee is entitled to have a representative present, and provide adequate notice of the meeting;
 - (ii) the Employer should arrange to have another Employer representative present to act as a witness and take notes;
 - (iii) the Employer must allow the Employee to explain the grievance and how the Employee thinks the grievance should be resolved;
- (c)** the Employee should obtain witness statements if witnesses are unable to attend the meeting;
- (d)** the Employer should consider an adjournment to the meeting if more information gathering is required;
- (e)** once the meeting is over, the Employer decides what action should be taken – in doing so, the Employer will need to take into account the needs of the business while being fair to the Employee;
- (f)** the Employer must communicate the final decision in writing and discuss any action that will be taken with those directly concerned;
- (g)** the Employer must be aware that the Employee has a right of appeal if the Employee is not satisfied with the outcome;
- (h)** if an appeal is necessary, it is better for a person who has not been involved directly with the matter to hear the appeal and determine the outcome; and
- (i)** Employees may exercise their right to be accompanied by a representative to observe the process.

42. Disputes procedure

(see clause 9 of the Award)

- 42.1 A dispute is a disagreement or difference between two parties and may arise if a grievance in the workplace is not resolved.
- 42.2 If a dispute regarding matters associated with the Award or the National Employment Standards cannot be resolved between the parties in the workplace, then a party in the dispute may refer the matter to Fair Work Australia.
- 42.3 The parties may then agree to mediation, conciliation and consent arbitration as necessary to resolve the dispute. The Employer or Employee may appoint another person, organisation or association to accompany and/or represent them to assist in a dispute resolution.

TIPS

- » If you find yourself involved in a dispute, subject to any relevant occupational health and safety legislation, an Employee must not unreasonably fail to comply with a direction given by the Employer to perform their work, whether at the same or another workplace, so long as safety is not compromised and it is appropriate.
- » Always keep any records relating to disciplinary matters, grievances or disputes.

43. Identifying problems at Work

- 43.1 Problems at work are not often related directly to an Employee's ability to carry out a specific task or series of tasks although sometimes there can be a training need to develop an Employee's skill set. It is more often the case that an Employee's behaviour is the cause of a problem, either in the team causing a breakdown in relationships or a behaviour that lets everyone down, such as persistent lateness.
- 43.2 To manage the problem identified effectively requires the Employer to clearly identify what is wrong - it must be true and preferably in writing. In other words, a third party complaint about "someone" alleged to have done "something" to "someone" can be mischievous and when not supported by evidence, can lead to a great deal of unhappiness and dissatisfaction. However, a simple diary note of an Employee's late arrivals over a short period of time (e.g. 4 occurrences in 17 days) is a useful starting point to have a confidential conversation about what has been observed.
- 43.3 Starting from a position based on fact is essential. The Employee should always be given the opportunity to provide an explanation and this may result in an acceptable reason for the recurrent problem. Employees often have responsibilities outside the workplace that can interfere with their ability to meet the Employer's expectations and they are not always able or willing to disclose such information and sometimes do not trust that the Employer will be reasonable (e.g. child care problems, family illness, transport problems, etc.). Sometimes, a negotiated temporary arrangement provides an acceptable solution for both parties in what is known as a 'win win' situation. In a conversation about unacceptable behaviour or performance there is also an opportunity for the Employer to outline the acceptable standards (what is expected) and the consequences for any continuing problem.

TIPS

- » Employers are far more likely to be respected if they are seen to be fair and even handed. There is no point in picking out one Employee for unsatisfactory performance whilst ignoring another who is doing the same thing.
- » Employers must ensure that the reasons for their actions are clearly understood and that the seriousness of the situation is clearly set out.
- » Except in the cases of gross misconduct, the Employee should be given the opportunity to improve before disciplinary action is taken.
- » End on a positive note looking forward so that the Employee is encouraged to do the right thing. It may be beneficial to conduct a further review with the Employee a few weeks later so as to have the opportunity to reward and recognise the desired behaviours and help the Employee to feel a valued member of the team.

For further information, see Annexure N – Disciplinary Policy and Procedures and/or seek advice.

44. Dismissal

- 44.1 Occasionally, Employers are faced with no alternative other than to consider dismissal.

Employers can take steps to minimise the potential for this through providing:

- (a) effective recruitment, training and workplace supervision from the start of employment to develop a good 'team player' and minimise the risk of poor performance; and
- (b) well-drafted employment contracts, workplace policies and procedures with Employees receiving a thorough induction so that they are set up to succeed in their role.

44.2 Despite an Employer's best efforts, sometimes dismissal cannot be avoided. Dismissal takes place when:

- (a) the Employer terminates the Employee's contract with or without notice – a contract cannot be terminated as a result of demotion or transfer as well as dismissal;
- (b) the Employee terminates the contract of employment (resigns) with or without notice by reason of the Employer's behaviour where the Employer's conduct was such that the Employee could not be expected to continue in his or her role (this is referred to as "constructive dismissal");
- (c) the Employee resigns while under notice following dismissal; or
- (d) an Employee is unreasonably refused work after pregnancy/paternity leave.

44.3 There are steps an Employer should take to ensure they will not be the subject of an unfair, wrongful or constructive dismissal:

- (a) Unfair dismissal – prior to dismissing an Employee, an Employer should query whether they have sufficient reasoning for the dismissal;
- (b) Wrongful dismissal – prior to dismissing an Employee, an Employer should query whether the Employer is acting reasonably in the circumstances;



- (c) Constructive dismissal – prior to taking certain action which may leave an Employee with no alternative other than to resign, the Employer should query whether the Employer's proposed action is reasonable in the circumstances or whether the action would be inconsistent with the continuation, or terms, of the Employee's contract of employment and thereby have the effect of terminating the Employee's contract of employment.

44.4 Dismissals may be deemed as fair if the principle reason includes one of the following:

- (a) incapability which covers the Employee's skill, aptitude, health and physical or mental abilities;

- (b) misconduct;
- (c) failure to have qualifications relevant to the occupation;
- (d) a legal consideration that prevents the Employee from continuing to work;
- (e) redundancy – where the job no longer exists and the standards (see the National Employment Standards) have been met; and
- (f) another substantial reason of a kind that justifies dismissal of an Employee holding a position for which the Employee was employed.

44.5 The Employer must demonstrate reasonable behaviour in a dismissal procedure in order to avoid the claim of a wrongful dismissal. The following should be taken into consideration:

- (a) Employees must be informed of the allegation (nature of complaint);
- (b) Employees must be provided with the opportunity to respond to an allegation;
- (c) in most situations, the Employee must be given the opportunity to improve and the exception would be when dismissal is for the reason of gross misconduct;
- (d) Employees should be allowed to appeal;
- (e) Employees who have been in a disciplinary process must have been advised of the consequences if improvements do not take place;
- (f) the Employer should take any mitigating circumstances into account; and
- (g) the offence or behaviour should merit the penalty of dismissal rather than some lesser penalty.

TIP

An Employer should carefully consider the complexities of dismissal and is advised to seek advice from a professional body or human resources consultant prior to taking the step to dismiss.

45. Amendment or Change to Employee's Letter of Employment

If either the Employer or Employee wishes to amend or change the terms and/or conditions of the Employee's employment e.g. hourly rate of payment, hours of work, duties and responsibilities as a result of training and development during their employment, agistment of an Employee's horse, a bereavement in the Employee's family or any other conditions of work which may have changed, they may do so in writing after consultation, and mutual agreement in accordance with the terms and conditions specified in the original Letter of Employment (see Annexure F – Letter of Employment – *Example*) with reference to the Award and the National Employment Standards.

46. Equal Opportunities in the Workplace

46.1 Equal Opportunity in a racing industry workplace means that all Employees have equal access to the opportunities that are available at work. This means that all Employees must be treated with fairness and respect and not subjected to discrimination

or harassment in the workplace.

46.2 For further information or assistance, contact the following organisations:

- » Equal Opportunity for Women in the Workplace www.eowa.gov.au
- » Australian Human Rights Commission www.hreoc.gov.au

47. Redundancy

(Refer to the National Employment Standards)

If an Employer finds they have no alternative other than to resort to the redundancy of an Employee, potential problems can be minimised if the Employer has an established policy and procedure to follow. The procedure should have three aims, namely to:

- (a) treat Employees as fairly as possible;
- (b) reduce the hardship as much as possible; and
- (c) secure the future of the business.

TIP

Employers have a duty to consult with those directly affected by change. It is necessary to demonstrate a process of consultation with the Employees and any information regarding job cuts should be presented at consultative meetings. Information should include the reason for the redundancies, what steps have or are being taken to minimise the job losses and the redundancy pay arrangements. The basis for selecting Employees for redundancy should also be established and communicated.

48. Privacy

48.1 An Employee's personal information is protected by the *Privacy Act 1988*.

48.2 Employers must comply with the Privacy Act which sets out rules on how Australian and ACT government agencies and private sector organisations are allowed to handle an Employee's personal information including how the Employer's business may collect, use, store and disclose an Employee's personal information.

48.3 For further information on the National Privacy Principles and compliance with the Privacy Act, go to www.privacy.gov.au

Note: On 1 November 2010 the Office of the Privacy Commissioner was integrated into the Office of the Australian Information Commissioner (OAIC). An interim site for the OAIC is available at www.oaic.gov.au

CHAPTER 4

FAMILY FRIENDLY EMPLOYMENT

In Australia, the “National Employment Standards” are minimum standards that apply to the employment of national system Employees. Part 2-1 (which deals with the core provisions for this Chapter) contains the obligation for Employers to comply with the National Employment Standards (see Section 44 of the NES).

An Employer must familiarise him/herself, and comply, with the provisions contained in **Division 5 of the National Employment Standards** entitled:

49. “Parental Leave and related entitlements”. Excerpts and headings of the various applicable sections are included below:

49.1 General rule — Employee must have completed at least 12 months of service

49.1.1 Employees other than casual Employees

An Employee, other than a casual Employee, is not entitled to leave under this Division (other than unpaid pre-adoption leave) unless:

- (a) the Employee has, or will have, completed at least 12 months of continuous service with the Employer immediately before either the date of birth, or the expected date of birth, of the child; or
- (b) if the leave is adoption related leave—the day of placement, or the expected day of placement, of the child (the date).

49.1.2 Casual Employees

A casual Employee is not entitled to leave (other than unpaid pre-adoption leave) unless:

- (a) the Employee is, or will be, a long term casual Employee of the Employer immediately before the date;
- (b) but for:
 - (i) the birth or expected birth of the child; or
 - (ii) the placement or the expected placement of the child; or
 - (iii) if the Employee is taking a period of unpaid parental leave, the Employee would have a reasonable expectation of continuing employment by the Employer on a regular and systematic basis.

50. General rule for adoption-related leave — child must be under 16 etc.

An Employee is not entitled to adoption-related leave unless the child that is, or is to be, placed with the Employee for adoption:

- (a) is, or will be, under 16 as at the day of placement, or the expected day of placement, of the child; and
- (b) has not, or will not have, lived continuously with the Employee for a period of six (6) months or more as at the day of placement, or the expected day of placement, of the child; and
- (c) is not (otherwise than because of the adoption) a child of the Employee or the Employee’s spouse or de facto partner.



51. Transfer of employment situations in which Employee is entitled to continue on leave etc.

51.1 If:

- (a) there is a transfer of employment in relation to an Employee; and
- (b) the Employee has already started a period of leave under this Division when his or her employment with the first Employer ends, the Employee is entitled to continue on that leave for the rest of that period.

51.2 If:

- (a) there is a transfer of employment in relation to an Employee; and
- (b) the Employee has, in relation to the first Employer, already taken a step that is required or permitted by a provision of this Division in relation to taking a period of leave, the Employee is understood to have taken the step in relation to the second Employer.

52. Entitlement to unpaid parental leave

52.1 An Employee is entitled to 12 months of unpaid parental leave if:

- (a) the leave is associated with:
 - (i) the birth of a child of the Employee or the Employee's spouse or de facto partner; or
 - (ii) the placement of a child with the Employee for adoption; and
- (b) the Employee has or will have a responsibility for the care of the child.

Note: Entitlement is also affected by length of the Employee's service and for adoption, the age etc of the adopted child; and

52.2 The 12 months is reduced by the amount of any unpaid special maternity leave the Employee has.

- 52.3 The period of leave—other than for members of an Employee couple who each intend to take leave

This section applies to an Employee who intends to take unpaid parental leave if:

- (a) the Employee is not a member of an Employee couple; or
- (b) the Employee is a member of an Employee couple, but the other member of the couple does not intend to take unpaid parental leave.

This section also refers to the following:

- (a) Leave must be taken in single continuous period;
- (b) When birth-related leave must start;
- (c) When adoption-related leave must start; and
- (d) Leave may start later for Employees whose spouse or de facto partner is not an Employee.

Note: An Employee whose leave starts at any time within 12 months after the date of birth or day of placement of the child is still entitled to request an extension of the period of leave beyond his or her available parental leave period. However, the period of leave may not be extended beyond 24 months after the date of birth or day of placement of the child.

- 52.4 The period of leave—members of an Employee couple who each intend to take leave

This section addresses similar provisions contained in the information relating to “period of leave—other than for members of an Employee couple who each intend to take leave”, however, this section also provides for the “Limited entitlement to take concurrent leave”.

- 53. A pregnant Employee may be required to take unpaid parental leave within 6 weeks before the birth in certain circumstances and as such:**

- (a) the Employer may ask the Employee to provide a medical certificate;
- (b) the Employer may require the Employee to take unpaid parental leave;
- (c) there are provisions for when the period of leave must end; and
- (d) there are special rules about the period of leave.

- 53.1 Notice and evidence requirements are specified together with the requirement for the *Confirmation or change of intended start and end dates*

- 53.2 Other sections address the following:

- (a) Extending period of unpaid parental leave—extending to use more of available parental leave period;
- (b) Extending period of unpaid parental leave—extending for up to 12 months beyond available parental leave period;
- (c) Reducing period of unpaid parental leave;

- (d) Employee who ceases to have responsibility for care of child;
- (e) Interaction with paid leave where an Employee is able to take other kinds of paid leave while he or she is taking unpaid parental leave;
- (f) Unpaid special maternity leave;
- (g) Transfer to a safe job in the event it is inadvisable for a pregnant Employee to continue in her present position during a stated period because of illness, or risks, arising out of her pregnancy or hazards connected with her normal position;
- (h) Employee on paid no safe job leave may be asked to provide a further medical certificate;
- (i) Return to work guarantee to:
 - (i) the Employee's pre-parental leave position; or
 - (ii) if that position no longer exists, an available position for which the Employee is qualified and suited nearest in status and pay to the pre-parental leave position.
- (j) Unpaid pre-adoption leave.

For definitions and further information regarding the "Parental Leave and related entitlements" provisions, refer to Part C – the National Employment Standards.

CHAPTER 5

WORKPLACE HEALTH & SAFETY

54. Introduction

- 54.1 Safety is an Employer's number one priority in the Horse Training Industry.
- 54.2 Employers need to demonstrate their commitment to ensuring their Employees go home without injury or illness. Apart from moral and good business reasons for an Employer managing safety risks within their business, there are also legal obligations.
- 54.3 Each State and Territory currently has its own Occupational Health and Safety Act (OH&S Act) and Regulations with which Employers must comply. From 1 January 2012 the Work Health and Safety Act (WHS Act) will take effect and will standardise work health and safety laws across most of Australia.
- 54.4 It is the Employer's responsibility to familiarise themselves with, and be aware of, their legal obligations. The easiest and best way for an Employer to do this is by contacting their State or Territory OH&S Regulator (e.g. SafeWork SA in South Australia) as they have guidance documents and also access to the applicable OH&S Act and Regulations.
- 54.5 The aim of the OH&S Acts and Regulations is to minimise the risk of injury and disease to Employees, co-workers, contractors and visitors by adopting a planned and systematic approach to the management of occupational health, safety and welfare and by providing the resources for its successful implementation.
- 54.6 This can be achieved through:
- (a) all hazards and risk to health and safety being identified, assessed and where they cannot be eliminated are effectively controlled;
 - (b) having a system in place to monitor and evaluate the controls put in place for hazards and risk to health;
 - (c) Employee's participation and contribution to the decision making process on occupational health and safety matters affecting their health, safety and wellbeing at work;
 - (d) all Employees receiving the information, instruction, training and any supervision they need to safely carry out their responsibilities.
- 54.7 A safe workplace relies on good communication, effective consultation and prompt hazard reporting, so everybody must be involved in the day-to-day safety issues.

For more information, see Annexure C– Model Occupational Health, Safety & Welfare Policy and Annexure CC – Standard Operating Procedures "Catching and Restraining Horses" – *Example*. Employers must ensure their Employees are made aware of any workplace health and safety policies and standard operating procedures for their own workplace.

55. Employee Responsibilities

While the Employer has a number of responsibilities, the Employer must ensure the Employee is made aware of his/her responsibilities which include, but are not limited to, the following:

- (a) follow all prescribed work policies, standard operating procedures and local rules;
- (b) make safety the number one priority in the work environment;
- (c) report all accidents, injuries, near hits and any unsafe conditions to the Employer or OH&S representative in the workplace;
- (d) obtain prompt first aid treatment for all injuries, however minor;
- (e) exercise due care in the performance of work to prevent accident and injury to the Employee, co-workers, the public and company property;
- (f) use and maintain the personal protective equipment provided to reduce or eliminate the probability of accidents and injuries; and
- (g) fulfil all duties in a safe manner at all times. If asked to perform a task which seems unsafe to an Employee or to perform duties where training has not been provided, the Employee has a responsibility to draw this to the attention of the Employer and should not carry out those duties.

56. An Injured Employee

(see also Section 62 on First Aid)

56.1 **MUST NOT** leave the premises without obtaining First Aid treatment and notifying the Employer. If necessary, transport should be arranged for the Employee and in emergency situations, the Ambulance service must be called e.g. fall from horse and suspected head injury (see Annexure E– Incident Report form – *Example*).

56.2 Reporting and Investigating Injuries and Incidents

56.2.1 Employees must report any incident (including any 'near-hit') by lodging an Incident Report form with their Employer.

56.2.2 All incidents resulting in injuries should be recorded and investigated to enable preventive actions to be taken to reduce the chance of any recurrences.

56.2.3 Employers are also required by law to complete a WorkCover report form and the Employee retains a copy of the report. This is particularly important if the Employee needs to have medical attention at any time following an incident at work. Rules are in place in each State and Territory regarding the completion and return of notification to Workcover. Generally, the return must be made to the WorkCover Corporation within 48 hours (see Annexure O– Incident Investigation & Reporting Process – *Example*).

57. Occupational Health, Safety & Welfare Committee

57.1 Larger businesses may need to establish a Health and Safety Committee in accordance with the requirements of their State or Territory's Occupational Health, Safety and Welfare legislation. However, all businesses benefit from good consultation which can occur at Toolbox talks or even at lunch breaks.

57.2 A Committee is the principal way that the management of a business consults with

Employees on any broad issues concerning Occupational Health, Safety and Welfare in the workplace.

- 57.3 The Committee is made up of management representatives and an equal or greater number of Employee representatives.
- 57.4 Each designated work group should have a duly elected OHS Representative who is also the Employee representative on the Committee. The name of each OHS Representative should be displayed on area notice boards.

58. General Safety Rules for Employees

- 58.1 In addition to a general Health & Safety Policy Statement which should be widely available and visible in the workplace, a general set of Rules may be useful, such as:
- (a) never use company vehicles, tractors, equipment or machinery unless authorised and trained to do so;
 - (b) safety signs and markings must be observed and complied with;
 - (c) observe all non-smoking signs and smoke only in designated areas;
 - (d) running, fighting, skylarking and similar behaviour is not allowed and jumping on or off platforms and raised surfaces will not be tolerated;
 - (e) Employees must not ride in the back of a ute or on the back of a trailer;
 - (f) Employees must not ride on a feed trailer if it moves faster than walking pace (5kph);
 - (g) keep work areas, aisles and stairs clean and clear of rubbish. Place refuse in the appropriate containers;
 - (h) clean up spills immediately;
 - (i) keep exits clear at all times. Exits and fire doors must never be blocked or made so that they do not open;
 - (j) any electrical items that Employees bring on site must be checked by an electrician who will tag each item as evidence that the electrical item has been tested;
 - (k) all new chemicals/substances must be accompanied by a material safety data sheet and approved for use in the workplace and for each chemical, there must be a record of an assessment and hazard identification;
 - (l) report defective equipment, including furniture and office equipment to the Employer immediately;
 - (m) Employees are not permitted to work alone with dangerous plant, horses or equipment where there is a significant risk of serious injury; and
 - (n) when driving, all speed limits are to be followed. When passing close to horses or a horse and rider then reduce the speed to walking pace.
- 58.2 Employees must be given specific instruction and training before using any equipment with which they are not trained. Some tasks require special permits and must not be attempted by anyone without the necessary training and authority.

59. Sun Smart

- 59.1 Outdoor workers are in a high risk group for developing skin cancer because of the increased exposure to UV radiation. Over-exposure to the sun during childhood and adolescence can be a major cause of skin cancer in later life. Skin damage accumulates over the years and can become skin cancer. People who spend a lot of time in the sun at work or in their leisure time are at high risk of developing skin cancer.
- 59.2 The use of personal protection is an important component in the control of exposure to weather extremes and UV radiation. Combining a variety of personal protective equipment is the most effective way to minimise exposure rather than relying solely on a single item. For instance, wearing sunscreen and a hat is preferable to a hat or sunscreen alone.
- 59.3 Sunscreen is to be applied to neck, face and ears and is to be reapplied at least every two (2) hours in order to provide sufficient protection. Employees are encouraged to wear at least ¾ length sleeves for protection. When short sleeved shirts and shorts are worn then 30+ sunscreen must be applied to the legs, arms and hands. For adequate head and face protection, hats with brims of at least 8cm are recommended.

60. Protective Clothing

- 60.1 Not all hazards can be controlled at the higher end of the hierarchy of controls and require Employees to use Personal Protective Equipment (PPE). In order to be effective, PPE must be used correctly, maintained and Employees must receive training on its correct use.



- (a) personal protective equipment and clothing shall be used in all designated areas (each location to be defined) of the workplace and as indicated by risk assessments and Safe Operating Procedures.
- (b) Employees are required to wear personal protective equipment (PPE) and/or clothing, and shall be given training in the proper care and use of the equipment.
- (c) Employers must ensure all Employees under their supervision comply with the wearing of PPE in their area of responsibility.
- (d) Employees must wear appropriate boots, safety helmets and safety vests at all times when undertaking horse riding activities and working around animals.
- (e) it is recommended that high visibility vests be worn by all riders when engaged in track work and in some workplaces, this is a requirement.

- (f) as protection against UV rays, Employees working outdoors must wear suitable

clothing and hats, and sunscreen of maximum protection should be applied, especially to the back of hands.

- (g) approved gloves are to be worn when handling hazardous substances.
- (h) approved hearing protection is to be worn if noise levels exceed 85dBA e.g. using power tools and welding.

60.2 Helmets, selected from a list sanctioned by the racing authorities, must fit the Employee and be cared for properly in order to maintain their integrity and offer the level of protection they were designed for.

TIPS

Tips for the caring of helmets include:

- (a) replacing a helmet within the time limit recommended by the manufacturer, which is usually five (5) years from the date of manufacture;
- (b) following the manufacturer's instructions for cleaning and storage;
- (c) checking the helmet regularly to ensure it is in good order; and
- (d) replacing a helmet that has been in an accident, has suffered a heavy drop or has been stepped on by a horse.

60.3 Employers may need to consider signage or other prompts to remind Employees to wear the appropriate protective clothing and safety equipment.

61. Housekeeping

61.1 Keep all work areas as clean as possible and free from items that could be a fire hazard (e.g. cardboard boxes).

61.2 All means of access and egress to workplaces, aisles and passage ways should be kept clear at all times and all work areas maintained in a tidy manner. Any surplus or scrap material must be regularly removed from site in a manner which will not contaminate the environment. In the event of any spillage of any substance the Employee shall immediately:

- (a) notify the Employer or person in charge;
- (b) ensure notice of the spillage is erected in the vicinity and that pedestrian traffic and other traffic is redirected until the spillage is cleaned;
- (c) safely clean up and remove the spillage and make safe the surface upon which the substance has been spilled; and
- (d) take steps to ensure that the spillage does not recur.

62. First Aid

62.1 Work associated with horses and greyhounds in training can be hazardous. Not only must the Employer have safe systems of work in place but it is necessary to plan for an emergency situation. Basic First Aid is a way to keep a person alive; it is therefore

necessary to have enough people who are trained and available to respond to a seriously injured person while waiting for emergency assistance to arrive.

- 62.2 Identify the potential situations that can give rise to an accident or injury and plan accordingly. This will include the potential for fire, chemical spills, falls from horses or other injuries caused by horses, drowning (horse pools), snake bites, etc.

Develop suitable responses and if possible, avoid Employees working in isolation where any dangerous occurrence could put them at additional risk. Ensure that there are adequate communication systems in place for people to call for help, whether they are Employees, Visitors or Contractors.

- 62.3 Arrangements for First Aid should be based upon a number of factors which include:

- (a) size and layout of the workplace;
- (b) location and proximity to medical services;
- (c) number and distribution of Employees;
- (d) nature and hazards of the work;
- (e) physical condition of Employees; and
- (f) existing medical conditions (of Employees) such as asthma and diabetes.

- 62.4 First Aid skills and First Aid kits must be available to all who work and visit the workplace.

- 62.5 Each area must have designated First Aider(s) and Employees should know who they are in their work area. The names of each First Aider should be displayed on the notice boards in the work areas.

- 62.6 First Aid kits are to be made available in every work area and the location signposted.

- 62.7 Any First Aid treatment is to be provided by a First Aider who will ensure that First Aid is provided appropriately and can assess whether further medical treatment is required. All First Aid treatment must be reported in a register and any in-house reporting completed.

- 62.8 For further information, review the approved Code of Practice for First Aid in the Workplace (South Australia 2010) or equivalent in your State or Territory.

- 62.9 Accidents resulting in death or serious injury (overnight stay in hospital) are reportable and WorkSafe (or equivalent in each State or Territory) must be notified immediately. Such situations will usually give rise to an investigation which will include scrutiny of your record keeping for Induction, Training and Occupational Health & Safety policies in addition to a review of the events leading up to the accident or incident.

63. Smoking in the Workplace

It is widely recognised that smoking is hazardous to health, and that non-smokers should be protected from the involuntary inhalation of tobacco smoke. Accordingly,

smoking of any type is prohibited in any enclosed space in most States and Territories including all public areas, buildings, structures and vehicles except for designated and it is advisable for the Employer to provide a designated smoking areas unless there is a smoke-free workplace policy in place.

64. Alcohol and Drug Policy

- 64.1 All Employees or people engaged to work on behalf of the Employer have a responsibility to present for work and remain unimpaired by drugs or alcohol.
- 64.2 It is recognised that the inappropriate use of drugs and alcohol can impair an Employee's ability to maintain safe work practices. In line with the Employer's duty of care and to comply with the rules for licensed premises, testing of Employees and contractors on site may take place.
- 64.3 In the case of social functions, alcohol may only be provided at a management endorsed function on an Employer's premises when Employees who consume alcohol will not be expected to return to work. Where alcohol is provided, "Good Service Practice" will apply - i.e. food is provided, low alcohol, and non-alcoholic alternatives are available, and a nominee will be selected by local management to oversee the function. Transport alternatives will be offered where reasonably practicable.
- 64.4 Drivers are reminded that they still have a responsibility under the *Road Traffic Act 1961*.

65. Electronic Tag & Testing

- 65.1 All electrical hand tools and electrical equipment must be connected via an RCD (Safety Switch) at the source of power. Portable RCDs, electrical tools/equipment and extension cables must be tested and tagged. Any electrical equipment without a current tag must not be used and reported to the Site Manager. All electrical tools must be isolated from the electricity supply at the end of each shift.
- 65.2 Any personal electrical equipment must not be brought onto site without permission from your supervisor and these items should be tested and tagged prior to use.

66. Manual Handling & Lifting

- 66.1 Manual handling means any activity requiring the use of force exerted by a person to lift, lower, push, pull, carry or otherwise move, hold or restrain any person, animal or object.
- 66.2 This means that manual handling is carried out by all of us every day. This is a unique working environment with many manual handling hazards. Injury statistics indicate the necessity for constant consideration of safe manual handling practice in all work routines.
- 66.3 The Employer must ensure the Employee has been provided appropriate training and complies with the following requirements when carrying out his/her duties and

responsibilities:

- (a) assess a load to be carried or moved. If the Employee does not think he/she can move the object him/herself or the object will block his/her vision, the Employee must ask for help or use a safe mechanical aid;
- (b) always lift correctly (if unsure, ask for assistance or advice);
- (c) examine the load for grease, oil, moisture or sharp edges before moving;
- (d) reduce the size of the load for safe handling e.g. bales of lucerne hay;
- (e) wear gloves that fit well; (f) plan the path and ensure it is free from obstacles;
- (g) squat down, bend knees and lift with legs not back. Keep back straight and avoid jerky movement;
- (h) grasp the object firmly, making sure their grip or footing won't slip and keep the load close to their body; and
- (i) turn with their feet instead of twisting their back.

CHAPTER 6

CRITICAL INCIDENT MANAGEMENT

67. Fire and Emergency Evacuation

- 67.1 In the event of an evacuation (real or for practice purposes), Employees are required to follow instructions from the most senior person in the workplace. Assembly Area(s) must be designated and clearly signed. All visitors, contractors and Employees should be made aware of the evacuation procedures during the onsite induction/orientation to the workplace. The site or work area will not be re-entered until the all clear is given by the Employer and/or the emergency services.
- 67.2 During induction, Employees should be expected to acquaint themselves with the location of all fire fighting equipment, its correct use, and emergency exits and assembly points.

68. Fire Training

Employees should receive training on the safe evacuation of their work area, general fire safety and the safe use of fire extinguishers and other fire fighting equipment as available in the workplace.

69. Fire Extinguishers

Fire extinguishers must be located throughout the site, in all the buildings and where there is a risk of fire. Employees must familiarise themselves with the location and use of the fire extinguishers within their work area. There should be a regular maintenance programme in place for the fire extinguishers and hoses.



70. Loose Horses

- 70.1 Loose horses are very dangerous; attempts to catch or restrain a loose horse should only be attempted by appropriately trained personnel. The most effective way to deal with a loose horse is to contain the horse on the property and not allow the horse access to a public road or internal roadway. It is essential that all gates and access doors are closed when not in use.
- 70.2 An Employee must immediately notify a senior person, the Employer or if neither is available, the nearest Employee, if they identify a horse which is loose and only then should the Employee attempt to catch the horse.

71. Biosecurity

- 71.1 The Australian Horse Industry Council, Harness Racing Australia, the Australian Racing Board and Equestrian Australia are signatories to the Federal Emergency Animal Disease Response Agreement (EADRA). This cost sharing Agreement outlines how the Federal, State and Territory Governments and the horse industry and community will work together to manage an exotic disease outbreak. A copy of the Agreement is available on the Animal Health Australia website www.animalheathaustralia.com.au
- 71.2 Through signing the EADRA Agreement, all parties and their members have acknowledged the importance of keeping Australia free from exotic disease. Reflecting this, horse venues should have a biosecurity plan and selected staff may receive training in how to implement the plan.
- 71.3 A workplace that has a biosecurity plan may identify, for example, that sick horses should be treated last or that Personal Protective Equipment needs to be available for staff where infectious disease is present or suspected.
- 71.4 Many States and Territories of Australia are also introducing Property Identification Codes (PIC) for properties that keep horses. Requesting a PIC from horses arriving onto the property is a very effective and simple way to help manage a disease outbreak should one occur, including endemic diseases such as strangles.
- 71.5 Knowing which property horses have originated from assists in “trace back” of a disease outbreak.
- 71.6 Animal Health Australia has prepared a “Horse Venue Biosecurity Workbook” including information and a template that can be filled in online or downloaded. Visit www.farmbiosecurity.com.au/toolkit.cfm (see Part D – Biosecurity Plan – *Example* and Annexure C – Workplace Occupational Health, Safety & Welfare Policy).

72. Tools for Employers

The following Annexures have been provided to assist Employers:

- P Hazard Management Policy
- Q Hazard Management Procedure

R	Stable Hazard Inspection Sheet
S	Works Request Hazard Report
T	Hazard Register
U	Weekly Supervisors Hazard Checklist
V	Hazardous Substances Policy
W	Hazardous Substances Procedure
X	Risk Assessment Hazardous Substances
Y	Hazardous Substances Register
Z	Risk Assessment Checklist Horse Management Plant & Equipment
AA	Manual Handling Procedure
BB	Risk Assessment Checklist Manual Handling
CC	Standard Operating Procedure - Catching and Handling Horses
DD	Sample Fire & Emergency Evacuation Procedure - Example

CHAPTER 7

CONTACTS

- » Animal Health Australia
www.farmbiosecurity.com.au/toolkit.cfm
- » Australian Apprenticeships
www.australianapprenticeships.gov.au
- » Australian Human Rights Commission
www.hreoc.gov.au
- » Australian Racing Board
www.australianracingboard.com.au
- » Australian Trainers' Association
www.austrainers.com.au
- » Australian Tax Office
www.ato.gov.au
- » Department of Immigration and Multicultural Affairs
www.immi.gov.au
- » Equal Opportunity for Women in the Workplace
www.eowa.gov.au
- » Equestrian Australia
www.equestrian.org.au
- » Fair Work Australia
www.fwa.gov.au
- » Greyhounds Australasia
www.galtd.org.au/GreyhoundsAustralasia
- » Harness Racing Australia
www.harness.org.au
- » Job Services Australia
www.deewr.gov.au
- » Racing Victoria
www.racingvictoria.net.au
- » Safe Work Australia
www.safeworkaustralia.gov.au
- » The Australian Horse Industry Council
www.horsecouncil.org.au

CHAPTER 8

PART A: ANNEXURES, EXAMPLE TEMPLATES, AWARD AND LINKS

ANNEXURE A: Position Description Example

Position Description for: _____

Commencement Date: _____

Insert name of employee you have been employed by *name of business* as a Stablehand Grade II under the Horse & Greyhound Training Award 2010. Your position is one of great importance as you will become the eyes and ears of our trainer and the voice of the horses in your care. It is your input that will help shape their careers.

You will need to keep yourself fit and healthy to be able to do the tasks required.

Position: Riding Stablehand

Reports to: Foreperson

Responsibilities	Safety Recommendations
To ride stable horses in track work as directed	<ul style="list-style-type: none"> » Wear proper fitting safety gear for riding as required by the rules of racing » Check all the gear the horse is wearing is fitted correctly and securely prior to mounting » Make sure you know all rules of the track on which you are riding on » Make yourself known to the race track manager » Do not ride any horses that you don't feel confident about » If unsure ask for a mentor until you are sure of all the rules » Make an effort to understand each horse's personality traits » Report back to the trainer or foreman honestly about the performance of the horse » It is a breach of the rules of racing to tip horse information to any parties other than those who employ you
<p>To assist as directed in cleaning out the horseboxes/stables inclusive of cleaning water and feed containers, removing droppings and replenishing part or all of shavings and floor coverings used in each box.</p> <p>Assist with feeding horses.</p>	<ul style="list-style-type: none"> » Wear safe well fitting boots » Always secure horse while cleaning out stable » Regularly empty wheel barrow during morning so it doesn't become too heavy for you » Arms, legs and back need to strong as they bend, stretch and lift » Ask for help to lift any heavy objects » Never unload the feed truck unassisted as most bags weigh over 20kgs » Check all tools are in good condition

Responsibilities	Safety Recommendations
Maintain the stable surrounds in a clean and tidy condition by regularly removing debris and placing in waste bins provided, sweeping paths and/or washing down surfaces so they are free of grime and dust.	<ul style="list-style-type: none"> » Wear a mask when using any cleaning chemicals » Wear ear plugs if using machinery » Be aware of your posture when sweeping to avoid uneven strain on the body » Remove an obstacles from pathways and walking areas
Assist with the daily horse work list requirements set out by the trainer inclusive of saddling, exercising, grooming and general care of horses assigned to the employee to look after.	<ul style="list-style-type: none"> » Get plenty of sleep in preparation of early morning starts » Eat a well balanced diet to supply you with the fuel you need for physical work » Remember to drink plenty of water to remain hydrated and alert » Never attempt to work while under the influence of drugs or alcohol this is extremely dangerous and the outcome is dismissal
Assist our veterinary surgeon and farrier to attend to horses as and when required.	<ul style="list-style-type: none"> » When assisting the vet use PPE for x-rays, handling injectables, or horses that have suspect infections » Stay situated on the same side of the horse as the vet at all times
Safeguard horses while under the employees care outside of the stable complex inclusive of supervising and swimming activity they undertake and/or movement within a racecourse.	<ul style="list-style-type: none"> » Swimming horses require good balance and strength » Always wear boots with non slip soles while swimming a horse » A lot of walking is involved be sure you have the strength to handle many km while controlling a horse
Attend to horses as required at official sales.	<ul style="list-style-type: none"> » Sale day can stretch into many hours standing with your horse » Prepare a healthy lunch to take with you to give you the stamina that these long days require

Our policy at *name of business* is to keep our staff and horses safe. If you require any special assistance, please discuss this with your foreman.

Supplementary Note: *You will be asked to assist our trainer in doing a periodic workplace audit.*

Insert business logo here

POLICY

Name of business's management is committed to ensuring so far as is reasonably practicable, that all employees are safe from injury and risk to their health while at work. This will be achieved by adopting the implementation principles contained in this Policy to ensure compliance with the relevant Workers Rehabilitation and Compensation Acts and associated legislation in all the States and Territories in which we operate, and by communicating and cooperating with the Claims (Insurance) Agent.

When an employee is injured while working for *name of business*, management is committed to assisting the injured employee to return to work, within their physical and/or mental capacities, in an equitable, efficient and appropriate manner for optimum recovery.

Management's focus will be to return the employee to their pre-injury duties unless otherwise indicated by medical opinion. Management will offer alternative duties when reasonably practicable to assist the earliest possible return to work and support the identified end goal of the rehabilitation programme.

As an expression of management's commitment, the Site Manager has been allocated the duty of overseeing Rehabilitation Services and Return to Work programmes within the business.

IMPLEMENTATION PRINCIPLES

Management recognises that each employee has the right to:

- » Choose their treating medical practitioners;
- » Be involved in all decisions and actions relating to their rehabilitation;
- » Have a current copy of their return to work plan;
- » An appropriate rehabilitation service (in-house and/or external provider);
- » Seek the attendance of a chosen representative at any meeting which involves their rehabilitation. This representative may for example, be a family member, union official, medical expert or Occupational Health & Safety representative;
- » Seek independent advice before signing any document;
- » Have personal information kept confidential by the parties authorised for the purpose of rehabilitation. This information must not be disclosed without the employee's informed, written permission;
- » The provision of a rehabilitation programme that takes into account individual needs including any religious or cultural beliefs;
- » Not be dismissed from employment due to being on a rehabilitation programme. However a breach of Company Policy or serious and wilful misconduct may result in dismissal;

Insert business logo here

- » Not be required to carry out duties which are in conflict with medical recommendations or which may be contra indicated in rehabilitation.

Name of business acknowledges that the rehabilitation of employees requires active co-operation to achieve successful outcomes. Consequently, the management is committed to a consultative approach in rehabilitation where all people within the company have a responsibility for their own and other employees' rehabilitation.

Specific roles and responsibilities have been assigned:

- » Site Manager
- » Managers/Supervisors
- » All employees

Site Manager

The relevant *name of business* Site Manager shall appoint a suitable person as the Rehabilitation Coordinator. This role is a pivotal position for the success of returning injured employees to their normal duties. The Rehabilitation Coordinator is responsible for the planning and implementation of all rehabilitation and return to work programmes at the workplace in liaison with the employee, treating medical practitioners, managers, supervisors, rehabilitation agents and any other relevant treating profession. Their responsibilities include:

- » Maintaining policies and procedures in compliance with legislation and best practice;
- » Approve the planning, development, implementation and review of rehabilitation programmes;
- » Liaison with supervisors/managers to oversee suitable alternative duties for injured employees;
- » Monitor return to work processes and outcomes to ensure all parties work collaboratively;
- » Promote actively the rehabilitation policies and procedures to ensure equitable and efficient rehabilitation of employees.

Managers and Supervisors

The role of the Manager/Supervisor can play a significant part in motivating the employee to return to pre-injury duties. Maintaining communication and support for the injured employee during rehabilitation is part of achieving successful outcomes for all parties. Their responsibilities include:

- » Identifying suitable alternative duties which fall within the scope of the medical guidance for each injured employee;
- » Support and communication with the injured employee with the aim of maintaining the employee's motivation to work;
- » Monitor the injured employee to ensure compliance with the return to work programme and any manage any restrictions placed on the employee;

Insert business logo here

- » Promote and ongoing positive rehabilitation attitudes in the workplace.

All employees

All employees have a duty of care for themselves and others in the workplace. To this end, they have a duty of care to support the rehabilitation of any injured colleague to enable an equitable and efficient return to work. Employee responsibilities include:

- » Report any injury/near hit to a supervisor as soon as practicable after the occurrence;
- » Undertake and participate in any recommended treatment programme to facilitate a safe return to work;
- » Participate actively in planning and implementing a rehabilitation programme;
- » Participate actively in part vocational rehabilitation programme with the agreed primary goal being return to work;
- » Accept the provision of safe and suitable alternative duties where they form part of an agreed rehabilitation plan;
- » Discuss with appropriate personnel any religious or cultural beliefs that may need to be considered in the rehabilitation process
- » An OH&S Representative may be asked by individual employee to participate (as observer) in any discussion relating to their rehabilitation.

This policy shall be reviewed bi-annually and updated to reflect workplace and legislative changes and ensure that our workers compensation systems are continually improving.

SIGNED:

General Manager

Site Manager

Date / /

Date / /

Insert business logo here

GENERAL OHS POLICY STATEMENT

Name of Business

Introduction

Name of business is committed to ensuring the health, safety and welfare of the working environment for employees, contractors and visitors. As a consequence of this, all employees are required to regard injury prevention and working safely as a collective and individual responsibility.

Name of business recognises its responsibility under the Occupational Health & Safety Acts and associated legislation in all the States and Territories in which we operate. Managers & supervisors have a key responsibility with regard to ensuring the health, safety and welfare of employees & visitors. In fulfilling this responsibility, managers and supervisors have a duty to provide and maintain so far as practicable, a working environment that is safe and without risk to health.

Management is therefore committed to:

- » The undertaking of risk management activities to adequately control risks to persons in the work environment.
- » Compliance with all relevant legislation and standards.
- » Ensuring plant, equipment and substances are safe and without risk to health when properly used.
- » Providing and maintaining safe systems of work for the use and handling of plant, equipment and substances.
- » Providing adequate facilities to protect the health, safety and welfare of all employees.
- » Providing appropriate Occupational Health & Safety training to all employees.
- » Providing information and supervision for all employees, enabling them to work in a safe and healthy manner.
- » Providing adequate resources, including finances, internal and external expertise to facilitate the fulfillment of its Occupational Health & Safety responsibilities.

The General Manager has ultimate responsibility for the implementation and review of the Occupational Health & Safety policy and delegation of Occupational Health & Safety management responsibilities. In fulfilling the objectives of this policy, management is committed to regular consultation with employees to ensure that the policy operates effectively and that health and safety issues are regularly reviewed. The Occupational Health & Safety Committee is available to consult and advise on specific Occupational Health & Safety matters and to assist with the development and implementation of Occupational Health & Safety system procedures and programs.

Responsibilities

Managers and Supervisors are responsible for the effective implementation and regular review of this

Insert business logo here

Occupational Health and Safety

Occupational Health & Safety policy. They must ensure that all significant risks associated with hazards in their operations are identified, controlled, registered and reviewed in consultation with employees. Employees are required to take reasonable care of themselves and others in the workplace, and have a responsibility to comply with relevant Occupational Health & Safety management system policies, procedures and programs including bullying, harassment and the Drug & Alcohol Policies. They are to co-operate with management and employees with nominated or elected Occupational Health & Safety functions.

The Occupational Health & Safety Committee is responsible for monitoring the overall Occupational Health & Safety performance as per legislative requirements and overseeing the operation of working parties for specific OH&S issues.

Review

Targets will be set to monitor and improve overall Occupational Health & Safety performance. An annual OH&S Plan will be developed and monitored by Site Management Team to evaluate the effectiveness of the overall Occupational Health & Safety management system and to ensure it is continually improving. This policy will be reviewed every two years as a minimum, in light of legislation and organisational changes.

General Manager

Site Manager

Employee Induction

Employee Name

Date of commencement

Position

Full time/part time/casual

Work area

Name of supervisor

This is a check list to be used as a guide for the induction of all new employees. It must be signed by the new employee and the employer representative. A signed record of employee induction training is to be placed on employee's personal file.

Terms & conditions

- Copy of job description received
- Confidentiality
- Signature required on Code of Conduct
- Award
- Hours of work
- How to record hours work
- Pay arrangements (when and how)
- After hours enquiries (useful phone numbers)
- After hours emergencies (who to notify)
- Organisation structure (larger businesses)
- Contact (of employee and next of kin) details recorded
- How to make annual leave and personal leave requests
- Probation – assessment and review of performance

Security

- Arrangements on property
- Personal
- Cash & personal effects (locker key)
- Licences photocopied

Occupational Health & Safety (OH&S)

- General Policy Statement
- Role of Health & Safety Representative
- Employee responsibilities
- Workplace OH&S Policies

ANNEXURE D: Employee Induction Example

- How to report an accident/incident - use of business report form
- Workcover Reporting & Rehabilitation – rights and responsibilities
- Emergency procedures
 - » Fire + role of Fire Warden
 - » Building evacuation and assembly points
 - » Critical incident responses
- Use of fire extinguishers
- Workplace Hazards
 - » What to do if a hazard is identified
 - » Standard operating procedures
- First Aid – location of boxes and list of First Aiders
- Drug & Alcohol Policy
- Smoking in the Workplace – Policy and designated smoking areas
- Manual handling & lifting (if training required: date booked __/__/__)

Other issues

- Equal Employment – explanation of Policy
- Harassment & Bullying – explanation of Policy
- Grievance procedure – how to take forward a grievance
- Consultation procedures
- Location of useful services
- Telephones and use of IPods
- (a)** Mobile phones **(b)** Switchboard/messages

- Other _____
- Strappers licence and photograph
Name of Supervisor responsible for employee _____

Note: This record forms part of the formal record of the employee's training. It must be returned to the office within 7 working days of employee's commencement date

Name of Employer Representative	Signature	Date of Signature	Date Received
Name of Employee	Signature of Employee	Date of Signature	

Competency Check List for Employees

How to use this form

The new employee should be given a procedure manual to read and shown each task before being asked to perform any task under supervision. The employee should be shown the task and then must carry out the task, under supervision before placing his or her initials together with the date beside each task listed. When all relevant tasks have been signed off then the Employer Representative countersigns at the bottom of the page. This record is placed on the employee's personal file. Tasks that employee does not perform should be noted as such by recording **N/A** against each task and their initials.

Name of employee _____ Date commenced _____

	Task	Initials of employee	Date of completion	Comment/further action
1.	Catching & restraining horse			
2.	Leading horse			
3.	Use of sand roll			
4.	Rugging/unrugging horse			
5.	Mucking out yards/boxes			
6.	Hosing/washing horse			
7.	Swimming horse			
8.	Use of horse walkers			
9.	Saddling			
10.	Checking horse's legs/oiling hooves			
11.	Checking horses after work			
12.	Loading/unloading horse (floating)			
13.	Feeding horses			
14.	Use of blower & cleaning equipment			
15.	Laundry - use of machines			
16.	Driving tractor (after training with workshop mechanic			

1.This form must be signed when new employee has been assessed against relevant tasks and is competent (or needs further action as noted).

2.Return this form to the Office (within 7 working days of employee's commencement date).

Name of Employer Representative	Signature	Date of Signature	Date Received
Name of Employee	Signature of Employee	Date of Signature	

ANNEXURE E: Incident Report Form

Insert business logo here

INCIDENT REPORT FORM

PERSONAL DETAILS

Family name:		Other name:	
Gender: <input type="checkbox"/> M <input type="checkbox"/> F	Contact Phone No: (W)		(H)
Occupation:	Payroll Number:		
Employment Status: <input type="checkbox"/> Full Time <input type="checkbox"/> Part Time <input type="checkbox"/> Contractor <input type="checkbox"/> Visitor <input type="checkbox"/> Casual			
Division/Portfolio:		School/Unit/Institute:	

INCIDENT DETAILS

Date of incident: ___ / ___ / ___	Time of incident: _____ am / pm
Location where incident occurred:	
What happened? <i>(Describe what happened, and include the events that led to the occurrence of this event)</i>	
This resulted in: <input type="checkbox"/> Injury <input type="checkbox"/> No injury <input type="checkbox"/> Property damage <input type="checkbox"/> Hazard identified <input type="checkbox"/> Near hit	
The incident was reported to (Supervisor) Name of Supervisor: _____ on ___ / ___ / ___.	
Is the incident an immediately notifiable work related injury or a dangerous occurrence? If so, it must be reported to xxxxxxxxxxxx (e.g. SafeWork SA) by telephone (insert number here) as soon as practicable after the occurrence (refer to the OHSW Procedure Incident Reporting and Investigation for the definition of what is notifiable).	

INJURY/DAMAGE DETAILS

If injury was sustained, what part of the body was affected, or if damage occurred, what was damaged?

MEDICAL TREATMENT

Was any medical treatment sought/provided? When ___ / ___ / ___ at _____ am / pm
From whom?
Has any time been lost from work? <i>(More than 1 complete shift)</i> <input type="checkbox"/> Yes <input type="checkbox"/> No
If so, have you returned to work? <input type="checkbox"/> Yes <input type="checkbox"/> No
Have/will medical expenses be incurred? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Uncertain at this time
If MEDICAL EXPENSES or LOST TIME is incurred, a WorkCover "Worker Report Form" and "Employer Report Form" must be completed.
Were there witnesses? If so, name of witness(s): _____ Contact Phone: _____
Employee signature _____ Date: _____

DESCRIBE WHAT HAPPENED: *It is the responsibility of the Supervisor/Line Manager to complete this section, and it is to be completed in consultation with the injured staff member.*

Please describe the events and contributing factors that led to the incident:

ANNEXURE E: Incident Report Form

Insert business logo here

INCIDENT REPORT FORM

HOW CAN THIS BE PREVENTED FROM HAPPENING AGAIN?: *The Supervisor/Line Manager is to complete this section in consultation with the injured staff member and the Health & Safety Representative (if applicable).*

Recommendation to prevent recurrence of this incident/accident:

IS REHABILITATION REQUIRED? Yes No Rehabilitation Consultant advised
Date:

SUPERVISOR'S ACTION: *The Supervisor is responsible and accountable for implementing action to minimise or eliminate the risk of injury or re-occurrence of the incident?*

I have taken the following action to reduce / eliminate the risk of re-injury or re-occurrence:

Advised Senior Manager Advised OHSW Services Advised Rehabilitation Consultant

Name of Supervisor:

Contact Phone Number:

Signed:

Date:

Insert Business Name and Logo

Insert ABN

Insert Address

Letter of Offer of Employment – Template

[Insert Date]

[Insert Name of Employee]

[Insert Address]

[Insert Address]

[Insert Address]

Dear [Insert Name of Employee]

Letter of Employment – [Insert Title of Position]

I am pleased to offer you employment with [Insert Name of Employer] (**Employer**) in accordance with the following terms and conditions.

1. Appointment

The Employer offers to employ you (**Employee**) in the position of [Insert Title of Position]. This position is a [Insert Category of Employment i.e. full time, part-time, casual] appointment.

2. Commencement Date

The commencement date of your employment will be [Insert Date].

3. Term

The Employee's appointment will continue for a period of [Insert No. of months / years] from the commencement date unless terminated earlier in accordance with the terms and conditions under this letter of employment.

4. Probation Period

Employment of the Employee is subject to a satisfactory probationary period of four (4) weeks with effect from the commencement date.

The Employee's progress during the probationary period will be reviewed by [Insert Name of Supervisor].

During the probationary period, this appointment may be terminated by either the Employer or Employee by providing one (1) week's notice in writing, or in the case of termination by the Employer, payment in lieu of notice.

This letter of employment is to be read in conjunction with the job description and Fair Work Information Statement enclosed together with the Horse and Greyhound Training Award 2010 (**Award**), a copy of which is available from the Employer or via the web at www.fwa.gov.au.

5. Duties and Responsibilities

During the appointment, the Employee will be required to report to [Insert Name of Supervisor]. The Employee will be required to undertake all duties and responsibilities as set out in the attached position description. In addition, the Employee will be required to undertake any other duties and responsibilities, within the Employee's skill, competence and training, as may be reasonably required by the Employer from time to time.

The Employee may be required to undertake such travel within the State or Territory, interstate and internationally in connection with their duties and responsibilities as directed or approved by the Employer.

The Employer may amend the terms of this letter of appointment and duties and responsibilities as set out in the attached position description after consultation and mutual agreement with the Employee.

6. Location

The Employee's main place of work will be located at [Insert Location Address], however, the Employee may be required to work at other locations from time to time to carry out their duties and responsibilities (e.g. if required to travel with a racehorse).

7. Remuneration and Benefits

(a) Rate of Pay

During the employment, the Employee's [hourly rate of pay for ordinary hours will be \$[Insert amount] **OR** total remuneration package will be \$[Insert amount] per annum] and will consist of:

Hourly Rate **OR** Base Wages/Salary: \$[Insert amount]
Superannuation: (9%) \$[Insert amount]

Total: \$[Insert amount]

(b) Salary Payment

The payment period is from Monday to the following Sunday.

The Employee's salary will be paid weekly in arrears by electronic funds transfer or in such other manner as mutually agreed between the Employee and Employer, after deducting any amounts which are required to be deducted by law.

(c) Overpayment

In the event that the Employer overpays the Employee, the Employee agrees that the Employer may recover the amount of overpayment by equal installments over a period not exceeding six (6) months. The Employee and the Employer may mutually agree to a shorter period. If the Employee's employment is terminated and, as at the date of termination, there is an overpayment of wages/salary, the Employee agrees that the remaining wages/salary are a debt that is due and payable by the Employee to the Employer. The Employee authorizes the Employer to set off any debt against any wages/salary or entitlements owed to the Employee upon termination.

(d) Overtime

In addition to the [hourly rate of pay **OR** base salary], the Employee will receive overtime as specified in the Award.

All time worked in excess of or outside the ordinary hours shall be deemed to be overtime. The rate of pay for overtime shall be time and a half, for the first three hours after 38 hours and thereafter at double time.

Double time and a minimum of three hours is paid for work on Sunday.

The Employee may elect to take time off in lieu of overtime.

(e) Superannuation

The Employer will pay superannuation contributions into an approved superannuation fund (as required, and defined, by legislation) to be nominated by the Employee or, if the Employee does not nominate an approved fund, to an approved fund nominated by the Employer.

The statutory superannuation contribution is currently 9% (which may be amended from time to time).

8. Hours of Work

The Employee will be required to work a minimum of [No. of Hours] per week.

The Employee's start time will normally be [Insert Time] am (subject to variation) [Insert Number] mornings per week. The Employee will also be required to work four (4) afternoons per week and alternate Sundays.

As the industry operates over seven (7) days, three hundred and sixty five (365) days per year (for the provision of customer services) the Employee will also be required to work additional hours as may be reasonably required to fulfil their duties and responsibilities.

Additional hours of work may also be required to cover annual leave, unplanned absences and peak demands of the Employer's business (functions/high demand). The Employee must maintain a record of all hours worked using the [Insert Type of System] system as provided by the Employer. Failure to maintain time records will result in disciplinary action.

9. Breaks

The Employee is entitled to a paid break of 15 minutes in each full morning worked (see the Award).

10. Leave Entitlements

(a) Annual Leave

Annual leave accrues on a pro-rata basis (proportion of the whole entitlement). For each completed four (4) week period of employment annual leave is calculated at the rate of 1/13 of ordinary hours worked.

Annual leave must be taken within eighteen (18) months of the entitlement accruing. Due

to the nature of the industry, the Employer may request that the Employee take a period of annual leave on or from a particular date. If this occurs, the Employer must provide the Employee with at least twenty eight (28) days' notice. In this instance, the Employee will be entitled to an additional loading of 17.5% of their wage/salary paid prior to the start of their leave period.

(b) Personal Leave (Sick and Carer's Leave)

The Employee is entitled to a personal/carer's leave entitlement which includes both sick and carer's leave of 1/26 of the ordinary hours worked by you for each completed four (4) week period.

If the Employee's personal/carer's leave entitlement has been exhausted, the Employee is entitled to two (2) days per occasion of unpaid carer's leave as other paid personal leave entitlements.

Personal leave can be accessed when:

- » the Employee has personally suffered an illness or injury (sick leave) and is unable to attend work, or
- » the Employee is required to provide care or support to a member of their immediate family or household because they are sick or injured or when the Employee has an unexpected emergency (carer's leave).

Paid carer's leave can be taken for up to ten (10) days per annum even if the Employee has a higher level of personal leave available.

On each occasion the Employee requires sick or carer's leave, the Employee must advise the Employer as soon as reasonably practicable of the absence from work and the reason for the absence (i.e. sick or carer's leave).

The Employee may be required to provide a medical certificate for each occasion of personal leave taken if required by the Employer. The Employee will not be required to produce a medical certificate where the circumstances would make it unreasonable to do so. If requested by the Employer, the Employee must provide the Employer with a statutory declaration (which can be obtained from the Employer) setting out the reason for absence and why a medical certificate could not be obtained. Failure to provide either a medical certificate or statutory declaration may result in non-payment of personal leave.

The Employee will receive payment for the day of the absence based on the minimum standards of the Award. The hours paid as Personal leave will be deducted from the Employee's accrued entitlement.

All paid personal leave counts as service and does not break the Employee's continuity of service.

Personal leave will accrue and be credited to you after each completed four (4) week period.

(c) Compassionate Leave

A permanent Employee is entitled to take 2 (two) paid days per occasion of compassionate

leave when a member of his/her immediate family or household:

- » Contracts or develops a personal illness or injury that poses a threat to their life; or
- » Dies.

The Employee will receive payment for the day of the absence based on your ordinary rate of pay.

The Employee may take compassionate leave as two (2) separate periods of a single day or an unbroken period of two (2) days.

The Employee may be required, at the Employer's request to provide reasonable evidence of the illness, injury or death on each occasion that compassionate leave is requested.

11. Induction

The Employee is required to complete an Induction/Orientation organised by the Employer in the first week of employment and an Induction checklist must be signed by the Employee as part of his/her employment record for inclusion in his/her personnel file.

12. Uniform

It is the Employee's responsibility to maintain the corporate and wet weather gear issued in a satisfactory condition. Corporate clothing should be clean and tidy for race days. All Employees are issued with (Employer to Insert) and if additional clothing is requested due to loss or misuse, the Employee will be required to purchase it.

13. Protective Clothing / Equipment etc (if applicable)

The Employee must at all times wear his/her personal protective clothing and equipment, including [insert any relevant items] and [insert] as and if required.

The Employee must at all times be responsible for, and take all due care and responsibility for maintaining, his/her personal protective clothing and equipment in good order.

14. Confidentiality

All information which is confidential to the Employer is, and will remain, the property of the Employer.

All information or knowledge obtained during the course of employment must be treated as having been received in the strictest of confidence. During the employment, the Employee must not (except as required by law):

- (a) use any confidential information other than for the purpose of employment; or
- (b) disclose any confidential information to a person, business or organisation other than to a person who needs to know the information for the purpose of the conduct of the Employer's business

By signing this Letter of Employment, the Employee acknowledges he/she has read this document, and understands and agrees to undertake to maintain the confidentiality of the Employer's personal and business information. A breach of confidentiality may result in disciplinary action.

15. Occupational Health & Safety

The health and safety of Employees is of paramount importance to this business. The Employee must at all times conduct him/herself in a calm and careful manner, observing the standards of practice in horse handling and riding as demonstrated to the Employee during his/her orientation period. If at any time, the Employee is in any doubt as to how to carry out his/her duties or responsibilities, please consult [Insert Name of Supervisor] or the person in charge of the shift. The Employee has a duty of care for his/her safety and the safety of his/her colleagues.

16. Conflict of Interest

The Employee's employment will be on the basis that he/she has not entered into any business interests, direct or indirect, which conflict or might reasonably be expected to conflict with the Employer's business. The Employee will be required to disclose any conflict of interest either prior to signing this Letter of Employment or if a conflict of interest arises during the course of employment e.g. casual employment with another employer. Such disclosure must be communicated to the Employee's Supervisor/Employer and confirmed in writing.

17. Policies, Procedures, Guidelines and Fair Work Information Sheet

Included with this Letter of Employment is a copy of [Insert Names of Policies, Procedures and Guidelines]. By signing this Letter of Employment, the Employee agrees he/she will read and familiarise him/herself and comply with all such policies, procedures and guidelines and any amendments, and all other policies and procedures, as may be provided to the Employee, from time to time.

The Employee will also be provided with a copy of the Fair Work Information Sheet. By signing this Letter of Employment, the Employee acknowledges he/she has received a copy of the Fair Work Information Sheet.

18. Termination

(a) Termination

Either the Employer or Employee may terminate this appointment by providing one (1) week/month's notice in writing, or in the case of termination by the Employer, payment in lieu of notice.

(b) Summary Dismissal

The Employer may terminate the Employee's appointment without any notice or payment in lieu if the Employee:

- (i) is convicted of any criminal offence other than an offence which in the opinion of the Employer does not affect the Employee's position as an employee representing the Employer;
- (ii) commits any gross default, misconduct or neglect in the discharge of his/her duties or any serious or persistent breach of any of the terms of this Letter of Employment;
- (iii) refuses to obey and comply with the lawful direction as to the performance of any of his/her duties;
- (iv) consistently acts in a manner which may tend to injure the reputation and interests of the Employer; or

ANNEXURE F: Letter of Offer & Related Templates

(v) commits any other act or omission justifying summary dismissal at common law.

(c) Deductions of debts owing

On termination or earlier, the Employer may deduct any debt owed by the Employee from any of the Employee's entitlements.

19. Return of Property

Upon termination of the employment relationship the Employee is required to return all property in his/her possession or control.

If you have any concerns or queries regarding the content of this letter, please discuss the matter with [Insert Name of Supervisor] or seek independent legal advice.

If the above terms and conditions of employment detailed above are acceptable to you, please sign this Letter of Employment in duplicate, return one original (together with any other signed documents required, including Bank Account Authority and Tax File Declaration) to the Employer at the address shown above prior to your commencement, and retain the duplicate original for your records.

On behalf of [Insert Name of Employer], I would like to welcome you to the team at [Insert Name of Workplace].

Yours sincerely

[Insert Name]

[Insert Position]

Declaration by Employee

I, _____, have read, understand and agree to abide by the terms and conditions set out in this Letter of Employment, and I confirm I have received a copy of the position description and the Fair Work Information Statement.

Signature: _____ Date: _____

Commonwealth of Australia

STATUTORY DECLARATION

Statutory Declarations Act 1959

1. *Insert the name, address and occupation of person making the declaration*

1,¹ make the following declaration under the Statutory Declarations Act 1959:

2. *Set out matter declared to in numbered paragraphs*

ANNEXURE F: Letter of Offer & Related Templates

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the Statutory Declarations Act 1959, and I believe that the statements in this declaration are true in every particular.

3. *Signature of person making the declaration*

³

4. *Place*

Declared at⁴

on⁵

of⁶

5. *Day*

6. *Month and year*

Before me,

7. *Signature of person before whom the declaration is made (see over)*

⁷

8. *Full name, qualification and address of person before whom the declaration is made (in printed letters)*

⁸

Note 1 A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years — see section 11 of the *Statutory Declarations Act 1959*.

Note 2 Chapter 2 of the Criminal Code applies to all offences against the *Statutory Declarations Act 1959* — see section 5A of the *Statutory Declarations Act 1959*.

ANNEXURE F: Letter of Offer & Related Templates

A statutory declaration under the *Statutory Declarations Act 1959* may be made before–

- (1) a person who is currently licensed or registered under a law to practise in one of the following occupations:

Chiropractor	Dentist	Legal practitioner
Medical practitioner	Nurse	Optometrist
Patent attorney	Pharmacist	Physiotherapist
Psychologist	Trade marks attorney	Veterinary surgeon
- (2) a person who is enrolled on the roll of the Supreme Court of a State or Territory, or the High Court of Australia, as a legal practitioner (however described); or
- (3) a person who is in the following list:
 - Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
 - Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the Consular Fees Act 1955)
 - Bailiff
 - Bank officer with 5 or more continuous years of service
 - Building society officer with 5 or more years of continuous service
 - Chief executive officer of a Commonwealth court
 - Clerk of a court
 - Commissioner for Affidavits
 - Commissioner for Declarations
 - Credit union officer with 5 or more years of continuous service
 - Employee of the Australian Trade Commission who is:
 - (a) in a country or place outside Australia; and
 - (b) authorised under paragraph 3 (d) of the Consular Fees Act 1955; and
 - (c) exercising his or her function in that place
 - Employee of the Commonwealth who is:
 - (a) in a country or place outside Australia; and
 - (b) authorised under paragraph 3 (c) of the Consular Fees Act 1955; and
 - (c) exercising his or her function in that place
 - Fellow of the National Tax Accountants' Association
 - Finance company officer with 5 or more years of continuous service
 - Holder of a statutory office not specified in another item in this list
 - Judge of a court
 - Justice of the Peace
 - Magistrate
 - Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the Marriage Act 1961
 - Master of a court
 - Member of Chartered Secretaries Australia
 - Member of Engineers Australia, other than at the grade of student
 - Member of the Association of Taxation and Management Accountants

ANNEXURE F: Letter of Offer & Related Templates

Member of the Australasian Institute of Mining and Metallurgy

Member of the Australian Defence Force who is:

- (a) an officer; or
- (b) a non-commissioned officer within the meaning of the Defence Force Discipline Act 1982 with 5 or more years of continuous service; or
- (c) a warrant officer within the meaning of that Act

Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants

Member of:

- (a) the Parliament of the Commonwealth; or
- (b) the Parliament of a State; or
- (c) a Territory legislature; or
- (d) a local government authority of a State or Territory

Minister of religion registered under Subdivision A of Division 1 of Part IV of the Marriage Act 1961

Notary public

Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office supplying postal services to the public

Permanent employee of:

- (a) the Commonwealth or a Commonwealth authority; or
 - (b) a State or Territory or a State or Territory authority; or
 - (c) a local government authority;
- with 5 or more years of continuous service who is not specified in another item in this list

Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made

Police officer

Registrar, or Deputy Registrar, of a court

Senior Executive Service employee of:

- (a) the Commonwealth or a Commonwealth authority; or
- (b) a State or Territory or a State or Territory authority

Sheriff

Sheriff's officer

Teacher employed on a full-time basis at a school or tertiary education institution

APPLICATION FOR EMPLOYMENT

SURNAME: _____ **FIRST NAME(S):** _____

ADDRESS: _____ **DATE OF BIRTH:** _____

_____ **SEX:** _____ **WEIGHT:** _____ (for riding work)

TELEPHONE NUMBERS: HOME: _____ MOBILE: _____

E-MAIL: _____

POSITION APPLIED FOR: _____

ARE YOU LEGALLY ENTITLED TO WORK IN AUSTRALIA? YES NO

If you are not an Australian Citizen, please attach documentation to prove entitlement to work in Australia, i.e. Passport & Visa

PLEASE TELL US ABOUT WORK THAT YOU HAVE DONE INVOLVING HORSES

EMPLOYMENT HISTORY (up to past 10 years) starting with current or most recent employer

Continue on a separate page if necessary

DATES	COMPANY	ADDRESS	POSITION HELD	REASON FOR LEAVING

ANNEXURE F: Letter of Offer & Related Templates

Please answer all of the following questions:

1. DO YOU HAVE A CURRENT DRIVERS LICENCE? YES NO
If Yes, what Class of Licence do you have?
2. HAVE YOU PREVIOUSLY WORKED FOR THIS BUSINESS? YES NO
If yes, give dates:
3. HAVE YOU PREVIOUSLY BEEN REGISTERED AS A STABLE EMPLOYEE? YES NO
If Yes, which Racing Club?
4. DO YOU HAVE A CURRENT WORKER'S COMPENSATION CLAIM? YES NO
If Yes, please give details:
5. ARE YOU ON ANY MEDICATION OR UNDER ANY DRUG THERAPY? YES NO
If Yes, you may be asked to undertake a medical examination to ensure your safety for the job you have applied for
6. WORK WITH HORSES IS PHYSICALLY DEMANDING. IF YOU HAVE ANY PHYSICAL DISABILITY or MEDICAL CONDITION, OR IF YOU HAVE HAD ANY PREVIOUS SERIOUS INJURIES OR OPERATIONS THAT MIGHT RESRICT YOUR ABILITY TO DO THE JOB, PLEASE TELL US:
(If applicable, attach details/explanations that might help us to determine your suitability for work with race horses).

Note: in some States, you will be required to have a medical examination to become licensed.

7. HAVE YOU EVER BEEN CONVICTED OF A CRIMINAL OFFENCE? YES NO
If Yes, give details:
8. DO YOU HAVE A NATIONAL POLICE CERTIFICATE? YES NO
This is required to be obtained (at your cost) in order to work with Race Horses.
9. REFERENCES
We would like to contact people who are willing to provide you with a reference. Please provide the names and contact details of 2 people who have agreed to do this for you, one of which must be your current or most recent employer IF you have previously been employed.

NAME, ADDRESS AND TELEPHONE NUMBERS OF PEOPLE [INSERT COMPANY NAME] MAY CONTACT

- 1) _____
- 2) _____

ANNEXURE F: Letter of Offer & Related Templates

10. DO YOU REQUIRE ACCOMODATION? YES NO

IMPORTANT

PLEASE READ THE FOLLOWING DECLARATION BEFORE SIGNING THIS APPLICATION.

I DECLARE THAT

- a) The information above is true & correct to the best of my knowledge. I understand that any false declaration made by me in this application may result in dismissal.
- b) Any employment offer is conditional on a probation period, during which I can be dismissed if I do not abide by the business policies & procedures and meet the required standards as explained to me by my employer.

If you do not understand this declaration, please contact [Insert Employer Company Name] for assistance.

I, _____ (print name) have read, understood & completed this Application for Employment.

Signature: _____

Date: ____ / ____ / ____

ANNEXURE G: Cash Advance & Pay Deductions

Business Name and ABN

Example Only

Cash advance/reimbursement to employer deducted from employee pay

Name of employee: _____ Date _____

Amount advanced: \$_____ from pay period ending:

I hereby authorise [**insert name of employer**] to deduct from my wages the amount of \$ _____ payable in weekly instalments of \$ _____

Signature of employee _____

Signature of management representative _____

Print Name _____ Date: _____

Administration:

Copy to employee and file copy in pay records and to be retained on personal file

Payroll Deduction Authority

Insert business logo here

CONTROL OF CONTRACTORS POLICY

Name of business is committed to the effective management of contractors to ensure the safe work environment is maintained. Uncontrolled contractor actions may result in significant risk to the health, safety and welfare of the contractor, company employees, visitors and members of the public. In the absence of effective management and control, *name of business* may be liable if a contractor providing services causes an incident, is injured, or injures anyone else on the premises. Effective contractor management and control at *name of business* premises is achieved through the application of contractor procedures. In summary, the management strategy consists of:

- » Health and safety requirements being indicated on all long term service tenders, purchase orders and service contracts;
- » Administrative procedures completed prior to any work by contractors beginning ie. certificates, licences, accreditation (if required) produced;
- » Contractors receiving and acknowledging a copy of *name of business* Contractors OH&S Handbook; which details health and safety requirements;
- » Contractors to provide copies of their own health and safety policy, Workers Compensation registration, public and private liability insurance, competency certificates, material safety data sheets, and standard operating procedures;
- » Contractors must complete a safety induction of the site, determine a safe work method and in some instances obtain a "permit to work";
- » Contractor performance will be monitored and appraised;
- » A "Point of Contact" will be assigned with the responsibility for the Contractor.

Name of business shall provide the contractor with a designated safe work area, with information detailing all reasonably foreseeable site hazards which may risk the health and safety of the contractor. The contractor shall ensure that appropriate steps are taken to identify and assess all reasonably foreseeable hazards resulting from the work which may affect the health and safety of all persons on the site, and control the identified hazards through using appropriate measures.

Where a "contract for service" applies the contractor is responsible for supervision to ensure safe work practices are followed. Where a work practice is observed to be in breach of health and safety requirements, the *name of business* Point of Contact must request the contractor to stop work. The contractor must then apply corrective action prior to recommencement of the work. In the case of unsafe work noted for a "contract of service", the work must be stopped and *name of business* point of contact must re-instruct the contractor on the approved method of completing the task.

Review

This procedure shall be reviewed bi-annually and updated as required to reflect workplace change.

General Manager

Date

Site Manager

Date

ANNEXURE I: Contractors Induction Checklist

Insert business logo here

CONTRACTORS INDUCTION CHECKLIST

Workplace:	Location:	Date:
Name of Contractor's representative:	Contractor Organisation	
Contract Work:	Point of Contact/Site Supervisor Name: Contact Phone Number:	
Work Area Orientation		
Explain <ul style="list-style-type: none"> <input type="checkbox"/> Emergency procedures <input type="checkbox"/> Speed limits <input type="checkbox"/> Restricted areas <input type="checkbox"/> Parking requirements <input type="checkbox"/> Quarantine requirements 	Show <ul style="list-style-type: none"> <input type="checkbox"/> Location of washing and toilet facilities <input type="checkbox"/> Emergency assembly areas/exits <input type="checkbox"/> Location of fire extinguishers 	
Occupational Health & Safety		
Explain <ul style="list-style-type: none"> <input type="checkbox"/> The Smoke Free Work Environment Policy <input type="checkbox"/> Incident Reporting procedures <input type="checkbox"/> The hazards that may be present in work area <input type="checkbox"/> The safe practices to be followed <input type="checkbox"/> Relevant Standard Operating Procedures <input type="checkbox"/> Hot work procedures <input type="checkbox"/> Danger & Out of Service tags/locks <input type="checkbox"/> Site Access procedures <input type="checkbox"/> Need for good housekeeping <input type="checkbox"/> PPE & dress code <input type="checkbox"/> Alcohol & Drug Policy <input type="checkbox"/> Loose horse procedures 	Show <ul style="list-style-type: none"> <input type="checkbox"/> Contractor Licenses/certification/insurance requirements have been sighted by Site Supervisor/point of contact <input type="checkbox"/> Advise phone number or contacts for first aid purposes <input type="checkbox"/> Location for material storage/delivery <input type="checkbox"/> Asbestos register <input type="checkbox"/> Provide (where required) relevant Material Safety Data Sheets (MSDS) <input type="checkbox"/> Confined spaces and provide a copy of relevant procedures 	
Provide a copy of this completed checklist to the Contractor and retain the original with Contractor OHSW records		
Inducted By (signature):	Contractor's Representative (signature):	
Inducted By (print name):	Contractor's Representative (print name):	
Date:	Date:	

Code of Conduct – Example

To comply with the Code of Conduct, an Employee must:

- » ensure he / she does not knowingly participate in, or allow their Employer, or his / her business to become involved directly or indirectly in any unlawful activity;
- » act honestly and with integrity at all times;
- » maintain an appropriate standard of behaviour in the workplace and when on business representing their Employer, treat fellow Employees and Employees of customers with courtesy and respect;
- » maintain a work environment free of discrimination, harassment and bullying;
- » act responsibly and within designated authority including any financial delegations;
- » maintain confidentiality of all customers, clients and the business of their Employer or third party information gained through their work;
- » work in a safe and responsible manner in accordance with the requirements of occupational health and safety legislation;
- » ensure outside work interests do not conflict with their duty to their Employer;
- » be respectful towards clients, customers, suppliers, contractors, competitors, the public and other Employees;
- » carry out reasonable and lawful instructions given by a person(s) authorised to give such instructions;
- » arrive at work on time, return on time from work breaks and continue to work until the scheduled time to stop work at the end of the day;
- » promote and publicly maintain a positive view of the business, it's management and Employees, clients, customers and suppliers;
- » not be absent from work without reasonable cause and prior approval from their Employer;
- » not do anything that might harm their Employer's business or interests;
- » not use or take equipment, money, time keeping systems or facilities for improper reasons unless prior consent has been obtained or the Employee has been authorised to do so;
- » not engage in fighting, abuse (verbal or physical) or horseplay;
- » not knowingly make false entries or declarations in relation to their work or customer records for personal gain;
- » not consume, possess or distribute alcohol or prohibited drugs on work premises or during working hours (whether on work premises or not), nor attend work impaired by alcohol or drugs (prescribed or non-prescribed);
- » submit to drug and alcohol testing as required by either their Employer or by the racing authority that has jurisdiction over their Employer's training facility;
- » not to engage in improper use of the internet or email facilities provided by their Employer (this includes use of social networks in relation to their employment);
- » not be negligent, careless or reckless in their work duties, and
- » not wilfully interfere with or damage their Employer's property.

The above list is not exhaustive but is intended to provide guidance on expected standards of behaviour and conduct in a number of areas. A Company Policy may vary from Employer to Employer in relation to certain types of conduct.

ANNEXURE K: Performance Review Template Example

Insert name of business

Example only

Racing Industry - Performance Conversation and Planning Record

Employee Name:	Job Title:
Employer/Manager:	Date:

STRENGTHS

Area of Strength	Examples	Impact	Related Competencies
Handle horses safely	Catching, restraining and leading	Safe performance	Handling horses safely

AREAS FOR IMPROVEMENT AND DEVELOPMENT

Area for Growth and Development	Details	Importance	Related Competencies
e.g. develop the ability to parade horse at races	Provide training and supervision	In next four weeks	Handling horses safely

GOALS

Translate Areas for Growth and Development into Goals.

Consider if **on the job** or **external training** is required to successfully meet the Goal (training should be reflected as a goal).

Goals	Milestones (the smaller steps required to meet the overall goal)	Measurement	Time Frame
Attend trials, then regional race meetings before advancing to city races	3 months	Foreman to report	Review after 1st race meeting
			Review progress date:
			Review progress date:

Manager's Signature: _____

Employee's Signature: _____

This document is an outline only. Personalise legal or independent advice may be required and no warranty is given as to the correctness of the information in this document.

ANNEXURE L: Fair Work Information Statement

From 1 January 2010, it was introduced that all employers covered by the national workplace relations system have an obligation to give each new employee a Fair Work Information Statement (the Statement) before, or as soon as possible after, the employee starts employment.

Please follow the links below for more information, or to download a copy of the Statement:

- » [Information for Employers](#)
- » [Fair Work Information Statement](#)

Insert business logo here

WORKPLACE BULLYING & HARASSMENT POLICY

PURPOSE

At *name of business* we are committed to providing a work environment which is pleasant for employees to work in and which is conducive to good OH&S and workplace relations.

This policy is aimed at ensuring that employees are not subjected to any unwanted workplace harassment. Harassment in the workplace decreases productivity, increases absenteeism, and is also against the law. For these reasons harassment will not be tolerated at *name of business*. This will be achieved by adopting the implementation principles contained in this Policy to ensure compliance with the relevant Workers Rehabilitation and Compensation Acts and associated legislation in all the States and Territories in which we operate.

DEFINITIONS

HARASSMENT

Workplace harassment can take many forms. One of the most common forms of workplace harassment is sexual harassment. Sexual harassment is behaviour of a sexual nature which is unwelcome and has the effect of offending, intimidating or humiliating the person being harassed. Sexual harassment most often happens against women, but men can also be subjected to sexual harassment. Examples of unlawful harassment include:

- » Suggestive comments about a person's body or appearance;
- » Leering or staring at a person or parts of their body;
- » Demands that revealing clothing be worn;
- » Tales of sexual performance;
- » Gender based insults or taunting;
- » Sexist or racist jokes;
- » Pornographic or nude posters in the workplace;
- » Homophobic abuse;
- » Verbal or written abuse directed at a person;
- » Touching a person in a sexual way;
- » Sexual assault (criminal offence)
- » "Flashing" (criminal offence)
- » Obscene telephone calls (criminal offence)
- » Asking questions or unwanted confidences about a person's sex life or lack thereof;
- » Persistent requests for a night out where these are rejected;
- » Requests for sex where these are unwelcome;
- » Making jokes at the expense of a person with a disability; verbal abuse or derogatory comments based on race, age, gender etc.

Insert business logo here

WORKPLACE BULLYING & HARASSMENT POLICY

BULLYING

Workplace bullying is another such form of harassment. Workplace bullying may come in any of, but not restricted to the following forms:

- » continuous threats,
- » name calling, tease, insult or generally making fun of you
- » constantly looking over your shoulder while you do your work
- » always tell you that you are not doing a good job
- » make you feel kept apart and keep you away from the group
- » make you feel afraid and worried
- » deliberately not include you in workplace activities
- » spread gossip about you
- » give you an unreasonable amount of work or the majority of unpleasant tasks to do
- » hide your tools or belongings

Harassment in the workplace irrespective of its nature can create an unpleasant or even hostile work environment. Harassment makes work difficult for everyone – the person being harassed, as well as employees witnessing the harassment. The harasser also is not concentrating on their work when he/she engages in this type of behaviour.

Workplace harassment usually consists of a pattern of unwelcome behaviour; however it can consist of just one act where this is of a serious nature. Also there is no requirement that the harasser intend to offend or harm in order for it to be unlawful. All that is required under the law is that a reasonable person would consider that the person being harassed would be offended, humiliated or intimidated by the behaviour in question.

Remember the key element of any harassment is that it is unwelcome behaviour. It has nothing to do with mutual attraction, or private, consenting friendships, whether sexual or not.

In some instances the harassment might take place outside the workplace; the office Christmas party for example, or when an employee makes unwelcome phone calls to another employee at their home or follows them home from work. If you go to another workplace to do your work there, it is also against the law to harass someone who is working there.

Name of business recognises that workplace harassment may involve comments and behaviours which offend some people and not others. The management of *name of business* accepts that individuals may react differently to comments and behaviour. That is why a minimum standard of behaviour is required of an employee which, as far as possible, is respectful of all employees.

Insert business logo here

WORKPLACE BULLYING & HARASSMENT POLICY

IMPLEMENTATION PRINCIPLES

PERSON SUFFERING HARASSMENT

If a person believes that they are being harassed the following steps are to be taken:

- » Tell the harassing person that their behaviour is unacceptable, and that it must stop. It is important to say these things to the harasser; this will not mean that you don't have a valid claim.
- » The behaviour or incident is to be reported to the Site manager or the General Manager.
- » The complaint is to be kept confidential – this will avoid idle gossip and the possibility of defamation proceedings against anyone or the company.

If not satisfied with the way in which the complaint has been dealt with by the company, the person can seek further advice from an outside agency such as the Human Rights and Equal Opportunity Commission or the Anti-Discrimination Board, or can make a report to the relevant Health and Safety Inspectorate, eg. SafeWork SA in South Australia, who can instigate an investigation.

NAME OF BUSINESS RESPONSIBILITIES

Name of business has a legal responsibility to take reasonable steps to prevent harassment from happening in the workplace. This involves educating employees about harassment, putting in place this policy, implementing grievance procedures and ensuring compliance by all in the workforce.

If a complaint of workplace harassment is brought to the attention of the management of *name of business* it must be taken very seriously and dealt with sympathetically and in a confidential manner. The complaint is to be investigated and, if found to be proved, appropriate warnings and or other disciplinary action shall be taken against the harasser.

It is important that the person making the report is not victimised or treated unfairly for making the complaint. The person accused of harassment is also to be treated fairly and advised of their rights prior to interviewing.

During any interviews both the accused and the reporting person are entitled to be accompanied by an employee representative, who can be a Health & Safety Representative, their Union Representative or in the case of a young employee their parent or guardian.

MANAGER AND SUPERVISOR ROLES

Managers and supervisors have an important role in the prevention of workplace harassment.

Firstly, managers and supervisors must ensure that they do not harass employees, other managers or supervisors, clients or customers.

Secondly, managers and supervisors must ensure that their staff understand the Workplace Bullying

Insert business logo here

WORKPLACE BULLYING & HARASSMENT POLICY

and Harassment Policy. When they observe discrimination or harassment, they must take steps to stop it and warn the person of the consequences should the behaviour continue. If a person approaches them with a complaint about harassment, they should take appropriate steps to resolve it. If this is not possible or inappropriate, then the Site Manager should be informed.

All managers and supervisors are to make sure all serious allegations are handled in a way which is a fair and open review of the allegations and also documented correctly.

EMPLOYEE ROLE

Each employee must ensure that they do not engage in harassing behaviour towards other employees, managers or supervisors, clients or customers. Employees should be aware that they can be held legally responsible for their unlawful acts. Employees who aid, abet or encourage other persons to harass can also be held legally liable.

Any employees who require more information should either contact their manager or supervisor, the General Manager or a person who has been nominated by this company to assist in such matters.

SIGNED:

General Manager

Date: / /

Site Manager

Date: / /

DISCIPLINARY POLCY & PROCEDURES

1. PURPOSE

Name of business encourages and expects the demonstration of behaviour in the workplace which promotes the best interests of the business, mutual respect and a high standard of individual conduct.

Name of business is committed to ensuring that when disciplinary or termination of employment issues arise, each employee is treated fairly and equitably, in accordance with principles of natural justice and procedural fair play.

2. SCOPE

This procedure applies to all employees of *name of business*.

3. FORMS

Computer or paper based disciplinary management record including employee statements, witness (if any) statement, investigations (include photographs, site plans or other visual aids that help to record the facts) records of meetings & decisions.

4. RESPONSIBILITIES OF EMPLOYERS AND SUPERVISORS

- 4.1 Employers are responsible for making sure that they and their employees are aware of the terms and conditions of their employment, their job description and all standards of conduct relating to their work.
- 4.2 Employers must make sure that they, and their employees, understand and business policies as it relates to standards of conduct, behaviour and attendance.
- 4.3 Employers must make sure that their employees are aware of the process for managing breaches of discipline in the workplace.

5. RESPONSIBILITY OF EMPLOYEES

- 5.1 Employees must familiarise themselves with their terms and conditions of employment, their job description, policies of the business and any other conditions and guidelines that related to their employment with [insert the name of the business].

6. GUIDELINES

Name of business disciplinary procedures contain a series of steps which will be followed prior to any termination of employment or other disciplinary action; however each particular circumstance will determine the number of warnings and the suitable review period for the employee to remedy their performance or behaviour.

6.1 Informal Counselling Sessions

Prior to any formal disciplinary management session being undertaken, it may be appropriate to undertake one or more informal counselling sessions with the employee concerned. This will take the form of a private discussion with the employee to raise the specific concerns about performance or behaviour, possible causes and potential solutions to problems. This has the advantage of being able to resolve a matter without recourse to more formal procedures. A diary note of any informal discussions may be kept by the

employer/supervisor as a reminder if the behaviour does not improve and more formal procedures are required.

6.2 First Stage for Formal Meeting and Warning

The Employer/Supervisor will meet the employee and:

- » discuss the situation/allegation;
- » allow the employee to give any reasons for their behaviour;
- » ensure the employee understands the standards required;
- » where appropriate, identify any assistance necessary to achieve resolution of the problem, including any additional training;
- » establish a time frame for monitoring and review of conduct/behaviour;
- » warn the employee of the possible consequences of failure to change the behaviour.

The Employer/Supervisor will accurately document the session and provide a copy to the employee.

Important note: The employee must be given adequate notice (e.g.24 hours) of the meeting and their right to elect to have either a representative who may be another employee, family member or union representative, present. The role of the representative is to observe the process. Note, failure to give adequate notice can result in the process becoming null and void.

6.3 Second Stage for Formal Meeting and Warning

When the employee's conduct or behaviour does not improve, the Employer/Supervisor in meeting with the employee will:

- » review the problem;
- » allow the employee to give reasons for the problem;
- » where possible, agree on the improvements required and action to be taken, including any training necessary;
- » set a time frame for further monitoring and review of conduct/behaviour.

The Employer/Supervisor will also:

- » again warn the employee of the consequences of continued lack of improvement; and
- » accurately document the counselling session making a record of this and provide a copy to the employee.

The employee must be given adequate notice of the meeting and their right to elect to have either a representative who may be.

6.4 Final Stage for Formal Meeting and Warning another employee, family member or union representative, present.

Where the employee's conduct and behaviour fails to improve during the second review period, the employer/supervisor will again meet the employee and:

- » emphasise the seriousness of the situation;
- » allow the employee to answer any allegations;

Insert name of business

Example only

- » explain that future conduct/behaviour will be monitored closely and set a further review period;
- » Warn that lack of improvement will result in disciplinary action being taken, which could lead to termination.

The Employer/Supervisor will accurately document the counselling session using and provide a copy to the employee.

The employee must be given adequate notice of the meeting and their right to elect to have either a representative who may be another employee, family member or union representative, present.

6.5 Termination - Poor Performance and Misconduct

Dismissal for poor work performance or misconduct occurs when the employer gives an employee notice that the employment relationship will cease as a result of performance or conduct issues. The employer will give the employee notice of termination (in accordance with the prevailing Award or industrial instrument), which ordinarily has been preceded by disciplinary action, i.e. counselling sessions that includes the issuing of formal written warnings.

An employee's performance will be considered to be inadequate or unsatisfactory if the requirements of the position are repeatedly not being met by the employee (as set out in the employee's job description) and following notification of the poor performance by the employer.

Misconduct and poor performance by an employee may include:

- » unauthorised absenteeism/poor record of attendance;
- » unacceptable behaviour towards employer/supervisor;
- » unacceptable behaviour towards co-workers;
- » lack of job effectiveness, efficiency and output;
- » not following specific company policies, procedures or practices;
- » non-compliance with the requirements of the contract of employment or letter of appointment;
- » actions involving accident or injury (or the real possibility of accident or injury) to any employee or horse; or
- » harassing or discriminatory behaviour towards an employee, client or customer of the company;
- » breach of occupational health, safety & welfare laws, disregard for safe systems of work, etc.

Other acts may also constitute poor performance and misconduct, depending on the circumstances of the case. It is up to the employer/supervisor to determine when an act is poor performance and misconduct.

Upon receipt of an allegation of poor performance and misconduct against an employee, the employer/employer will interview all witnesses and will conduct a thorough investigation into the incident.

Other acts may also constitute poor performance and misconduct, depending on the circumstances of the case. It is up to the employer/supervisor to determine when an act is poor performance and misconduct.

Upon receipt of an allegation of poor performance and misconduct against an employee, the employer/employer will interview all witnesses and will conduct a thorough investigation into the incident. Interviews may usefully be conducted with a person present who is not directly involved who can take notes and observe the process for fairness.

If it is believed that the investigation is to be prolonged, the employee may be suspended with pay, or alternatively, if the investigation is not likely to be prolonged, the employee may be made to wait in a suitable location away from the workplace.

In all cases of poor performance and misconduct, the employee concerned will be interviewed and will be provided with an opportunity to respond to the allegations made against them. Both the employee and the employer/supervisor will have the right to have a witness present at the interview.

If, pending the outcome of the investigation, the appropriate employer/supervisor believes that termination of employment is warranted, the employee concerned will be advised of this directly and their employment terminated by giving the appropriate notice. The employee will be provided with a written confirmation of the reasons for the dismissal no later than 24 hours following the termination.

Note: It may be advisable to seek professional advice before progressing to termination of employment.

6.6 Serious and Wilful Misconduct

Summary or instant dismissal is dismissal without notice and occurs where an employee commits an act of serious and wilful misconduct, which may include:

- » Serious breaches of the employer's code of conduct or company policies, eg. Occupational health, safety and welfare, sexual harassment; discrimination;
- » Refusal to carry out a lawful instruction of a employer/supervisor;
- » Consuming, possessing, selling, manufacturing or being under the influence of alcohol or other drugs on company premises;
- » Dishonesty, theft or other unlawful activities;
- » Gross negligence (subject to the nature of the negligence);
- » Vandalising, intentionally damaging or misusing company or another employee's property; or
- » Fighting on company premises.

Other acts may also constitute serious misconduct, depending on the circumstances of the case. It is up to the employer/supervisor to determine when an act is serious misconduct.

Upon receipt of an allegation of serious and wilful misconduct against an employee, the

Insert name of business

Example only

employer with the supervisor (or other person) will interview all witnesses and will conduct a thorough investigation into the incident.

If it is believed that the investigation is to be prolonged, the employee may be suspended with pay, or alternatively, if the investigation is not likely to be prolonged, the employee may be made to wait in a suitable location away from the workplace.

In all cases of serious and wilful misconduct, the employee concerned will then be interviewed and will be provided with an opportunity to respond to the allegations made against them. Both the employee and the employer/supervisor will have the right to have a witness present at the interview.

If, pending the outcome of the investigation, the appropriate employer/supervisor believes that termination of employment is warranted, the employee concerned will be advised of this directly and their employment terminated forthwith. The employee will be provided with a written confirmation of the reasons for the dismissal no later than 24 hours following the termination.

6.7 Documentation

All records must be accurately completed by writing the specific date, time, place and particulars of the problem and proposed solutions, and include reference to the warning of possible consequences of lack of improvement.

The employee and their representative/other employee, are to be invited to sign the documentation indicating that they have seen the record of the interview. Either may comment on the documentation. If they decline, this should also be noted in the documentation.

At each step a copy of the documentation will be placed on the employee's personal file. Should no further problems occur during the review period, the documentation will be removed from the file. Depending on the seriousness of the situation, documentation may remain on the employee's personal file for up to 12 months.

Insert business logo here

INCIDENT REPORTING & INVESTIGATION POLICY AND PROCEDURE

INCIDENT INVESTIGATION & REPORTING

Purpose

An incident is any unplanned occurrence or incident, which results in or could potentially contribute to personal injury or damage.

The purpose of this procedure is to ensure all incidents regardless of their consequences are reported within a reasonable time in order for it to be investigated. The reason for carrying out an investigation is to establish the factors which contributed to the incident in order to prevent it happening again. A thorough investigation will often highlight a number of factors at fault which can be “removed” thereby eliminating or minimising the potential for something similar from happening again.

Definitions

Near Hit – An incident that did not result in an injury or damage but had the potential to have caused an injury or damage had one or more factors changed.

Lost Time Injury (LTI) – An injury that results in an employee missing a full working day or full shift.

Medical Treatment Injury (MTI) – An injury that required medical treatment by a medical practitioner that exceeds the capability of a first aider. This could result in the worker returning to work on alternate duties.

First Aid Injury – A minor injury that requires treatment by a first aider only.

References

- » OHSW Act Section 19: Duties of employers.
- » OHSW Regulations Division 1.3.7: Employer action on reports.
- » OHSW Regulations Division 6.6: Notification of certain occurrences.
- » AS 1885 – Workplace injury and disease recording standard.

Responsibilities

General Manager

Has the responsibility of:

- » Ensuring that this procedure is followed and sufficient resources are available for its effective implementation.
- » Following up any Lost Time Injuries reported to them.

Insert business logo here

INCIDENT REPORTING & INVESTIGATION POLICY AND PROCEDURE

Area/Duty Supervisor/Managers

Have the responsibility of:

- » Supporting the first aider in the treatment of any injured person.
- » Investigating any reported incident within their area of responsibility.
- » Liaising with family members / guardians of any injured member of public.
- » Implementing any corrective/preventive actions within their control.
- » Taking immediate action to prevent a reoccurrence within their responsibility level and to recommend long-term preventative measures.
- » Ensuring the management, staff and volunteers are informed and trained in the use of this procedure.
- » Following up reported incidents and assisting where required in the investigation of incidents and development of corrective action.
- » Ensuring statistical data is collected in the Incident Reporting Database in order to monitor injury rates and provide relevant information to all staff.
- » Reviewing corrective actions and identified causes to ensure quality outcomes are achieved.
- » Ensuring that WorkCover Claim forms are completed correctly.
- » Ensuring the timely transmittal of WorkCover Claim Forms.

Procedure

Incident Reporting

The Incident Reporting Flowcharts should be read in conjunction with this procedure they are intended to provide a simple easy to read guide to the steps to be taken for various incidents within *name of business* facilities and activities.

Following any incident which results in injury or property damage (or has the potential for injury/damage):

- » employees must report the incident to the first aider for treatment and to their area supervisor and complete an incident report;
- » the area supervisor in consultation with the health and safety representative must then carry out an investigation to identify any contributing factors prior to, during, or after the incident (contributing factors may relate to the task, management issues, the materials and equipment used and the personnel involved).

The Site Manager on behalf of the General Manager is to report any immediately notifiable incident to the Authorities (SafeWork SA in SA) ie:

- » any death;
- » injury that has acute symptoms associated with exposure to a hazardous substance at work;

Insert business logo here

INCIDENT REPORTING & INVESTIGATION POLICY AND PROCEDURE

- » an injury requiring treatment as an in-patient in a hospital immediately after the injury.

Notification will be made as soon as practical after the incident occurs (by ph: 1800 777 209 or fax: 8303 0423).

Any notifiable incident (dangerous occurrence which causes an immediate and significant risk) must be reported to SafeWork SA by ph: 1800 777 209 as soon as practical following an incident and in writing within 24 hours. Dangerous occurrences include:

- » the collapse, overturning or failure of the load bearing part of any scaffold, lift, crane or hoist;
- » damage to or malfunction of any major plant;
- » unintended collapse or failure of an excavation more than 1.5 metres deep;
- » unintended collapse or partial collapse of a building or structure;
- » unintended collapse of the floor, wall or ceiling of a building being used as a workplace;
- » uncontrolled explosion, fire or escape of gas, hazardous substance or steam;
- » unintended ignition or explosion of an explosive;
- » electrical short circuit, malfunction or explosion;
- » flood, rockburst, rockfall or ground collapse;
- » breathing apparatus malfunction (if user's health is endangered);
- » any other unintended or uncontrolled incident or event.

Any electrical shock must also be reported to the Office of Technical Regulator, ph: 8226 5500.

First Aid Injuries, Near Hits & Property Damage

Any Employee or Visitor that sustains an injury is to seek treatment from a First Aider who will administer first aid as required, and ensure that an incident report form is filled in.

Investigation of Incidents

All injuries, property damage and near hits are to be investigated by the Area Supervisor/Manager, no matter how minor, in consultation with the area OH&S representative, who must be notified of any injury, dangerous occurrence, risk or hazardous situation.

Investigations should include:

- » Person/s who were involved in the incident
- » Any witnesses
- » Interviews at the scene (if possible)

The investigation is to identify as many CAUSES as possible, NOT TO LOCATE BLAME OR FAULT.

Area Supervisors/Managers and OH&S representatives are to take immediate action to prevent a

Insert business logo here

INCIDENT REPORTING & INVESTIGATION POLICY AND PROCEDURE

reoccurrence within their responsibility level and to recommend long-term preventative measures.

Reports and recommendations are to be written on an Incident Reporting & Investigation Report form and handed to the Workforce Development Manager.

Reports **MUST BE SIGNED** by the Area Supervisor/Manager and OHS Representative.

Workforce Development Manager is to assess recommendations in consultation with General Manager, relevant Area Manager/Supervisor, Safety representatives and staff for acceptance and implementation.

All reports are to be recorded and filed by the Workforce Development Manager.

Medical Treatment Injuries & Lost Time Injuries

All lost time injuries or illnesses are to be investigated by the General Manager in consultation with the Area Manager/Supervisor and Area OH&S representative and Workforce Development Manager.

The investigation should include:

- » Interviewing employee/s involved in the incident (in a friendly, co-operative manner)
- » Conducting the interview at the scene if possible (allow the employee to show what happened)
- » Getting the employees version of the accident (judgement and opinions should be avoided)
- » Asking necessary questions (get facts, ask open questions)
- » Interviewing witnesses, as many as possible (as per notes above)

Photographs, sketches and notes of the scene and any damage that occurred can be helpful to the investigation.

The scene should be left as is until the investigation is complete, particularly if a serious incident, as an outside body could be involved in the investigation

The investigation is to identify as many **CAUSES** as possible, **NOT TO LOCATE BLAME OR FAULT.**

Area Managers/Supervisors and OH&S representatives are to take immediate action to prevent a reoccurrence with-in their responsibility level and to recommend a long-term preventative measure to the Business Development Manager.

Reports and recommendations are to be written on an Incident Reporting and Investigation Form and handed to the Workforce Development Manager. Reports **MUST BE SIGNED** by the Area Manager/Supervisor and OHS Representative.

Workforce Development Manager is to assess recommendations in consultation with General Manager, relevant Area Manager/Supervisor, Safety representatives and staff for acceptance and implementation.

Insert business logo here

INCIDENT REPORTING & INVESTIGATION POLICY AND PROCEDURE

All reports are to be recorded and filed by the Workforce Development Manager.

If more than 1 shift or day is lost, the injury required Medical treatment or the incident was serious enough to have caused either event, or a horse's safety was compromised the incident must be reported verbally to the General Manager and the Workforce Development Manager within 24 hours.

Workers Compensation

When an incident results in a Medically Treated Injury or a Lost Time Injury the appropriate WorkCover Prescribed Medical Certificate (PMC) will be returned to the Workforce Development Manager or supervisor who will issue a Worker report form for the Employee to complete and return.

Follow-up and Monitoring Measures

All control measures implemented as a result of reports of incidents, near hits or property damage must be followed-up and monitored for effectiveness.

Monitoring is to be by all Employees who are affected by the control measures.

Feedback to the Workforce Development Manager and the Safety Committee is to be provided until the measure is considered effective.

Corrective action is not considered completed until the measures are considered effective.

Recording and Filing of Incident Reports

All injuries, damages and near hits are to be recorded on an Incident Report Form kept by First Aiders and in Department Offices.

All sections are to be completed and the form "signed-off" by the Area Manager / Supervisor and OHS Representative.

Any "Corrective Actions" are to be followed-up by the relevant Area Manager / Supervisor and monitored for effectiveness.

Feedback will be obtained from Employees who are affected by the corrective actions either to Area Managers/Supervisors or directly to OH&S representatives on a regular basis.

If corrective actions are ineffective then the Area Manager/Supervisor is to initiate temporary control measures within their responsibilities and give a written report to the Workforce Development Manager with reasons for the change and recommendations for long-term corrective action.

The Workforce Development Manager in consultation with the OH&S Committee will monitor corrective actions on a regular basis until the problems have been resolved at which time the Safety Report will be "Cleared".

Insert business logo here

INCIDENT REPORTING & INVESTIGATION POLICY AND PROCEDURE

All reports are to be recorded and filed in the Safety Report Database.

The data in the Safety Report Database will be used to analyse injury trends, potential hazardous tasks and activities. A Monthly Statistical report will be generated and reviewed by the Safety Committee.

Review

This Procedure will be reviewed every two years by the Safety Committee and updated as required.

Documentation

Records of injuries must be kept for at least 30 years.

Incident Reporting and Investigation Form

Incident Reporting Flowcharts

Insert business logo here

PURPOSE

Effective management of occupational health and safety requires a system which continuously seeks to identify any potential workplace hazards, assess the risks associated with them, and implement and review control measures to ensure they are effective in eliminating or reducing the risk. The four steps then, are:

1. Hazard Identification
2. Risk Assessment
3. Control
4. Review

The process of hazard identification, assessment and control forms the basis of the OH&S Legislation. Employers are also required to provide information, instruction and training on the location and nature of hazards in the workplace and control measures to be used. Records must be kept of this training.

The most obvious Hazard in the horse racing industry involves the Horse: Falling from a Horse or being Hit by a Horse are the two most common incidents in the Horse Racing Industry, however there are also a number of other hazards with the potential to cause a fatality or serious injury, it is the policy of *name of business* that Management will, with the assistance of Employees identify, assess and control these hazards.

RESPONSIBILITIES

Managers/supervisors

Managers/supervisors are responsible for identifying hazards, in consultation with employees, conducting risk assessments and controlling risks.

Employees

Employees are responsible for reporting hazards to their Supervisor/Manager and/or health and safety representatives and for taking reasonable steps to protect the health and safety of any person who may be immediately threatened by the situation.

PROCEDURE

Name of business will use a range of methods to identify Hazards that are known to be present and hazards that are either emerging or are encountered for the first time.

Name of business will ensure that the risks associated with the identified hazards are assessed to decide

Insert business logo here

HAZARD MANAGEMENT POLICY

the level of risk by considering the likelihood of the hazard causing injury and the severity of the outcome. Appropriate controls are determined based upon the hierarchy of controls.

REVIEW OF POLICY/PROCEDURE

This policy will be reviewed every two years in consultation with the Health and safety committee / Health & Safety Representative / employees.

SIGNED:

General Manager

Date / /

Site Manager

Date / /

Insert business logo here

In the workplace, there are Hazards that are known to be present and there are hazards that are either emerging or are encountered for the first time. The procedures for dealing with the two situations follow similar but different paths.

1. EXISTING HAZARDS

1.1. Identification of Hazards

A range of methods may be used to identify existing hazards including:

- » Review of Incident Reports to identify hazardous tasks.
- » Discussion with Employees
- » Hazard & Incident Reports
- » Known Industry Hazards
- » Observation of Workplace and work practices
- » Hazard Inspections
- » Legislative Compliance and System Audit Reports
- » Review of material safety data sheets (MSDS)
- » Systematic Risk Assessments of Plant, Equipment, Substances and Manual Handling.
- » Job Safety Analysis
- » Industry and Hazard Specific Guidelines

1.2. Hazard Register

- » Managers and Supervisors are then to list the hazards applicable to their area of responsibility and enter them into the Company's Organizational Hazard Register.
- » The listed Hazards are then to be prioritized using a brief risk assessment in order to schedule full risk assessments.
- » Existing Control Measures that are currently implemented are to be listed in the Register.
- » The current controls are then to be reviewed and where further assessment of the controls determines that they are clearly inadequate then improvements or new controls are to be selected. The type of control is to be based upon the Hierarchy of Controls:
 - » Elimination
 - » Substitution
 - » Engineering
 - » Administration
 - » Personal Protective Equipment.

The hierarchy of controls is a useful way to assess the effectiveness of the controls with controls identified from the higher level on the hierarchy being more effective and sustainable than those

Insert business logo here

lower on the list.

- » The new or improved controls are then to be entered into the hazard register and assigned to a responsible Manager for action with clear achievable timeframes.
- » The Hazard Register is to be subject to regular monitoring and review to ensure actions are carried out on time and are reviewed for effectiveness. Each Manager is responsible for the actions assigned to them and they are to review the Action List monthly.
- » The following review and Monitoring activities are scheduled:
- » The Hazard Register is to be audited at least annually and the findings reported to the Management Team.

2. NEW AND EMERGING HAZARDS

2.1. Identification of new and emerging Hazards

These Hazards are identified using a mixture of reporting tools and risk assessments, as follows:

- » Hazard Reports
- » Incident Reports and Investigations
- » Hazard/Housekeeping Inspections
- » Job Safety Analysis for New Tasks
- » Plant/Equipment Risk Assessments.
- » External Hazard Alerts
- » Review of Emerging Health and Safety Issues.

2.2. Hazard Reporting

The procedure for using Hazard Report Forms is as follows:

- » The Manager/Supervisor shall ensure that Hazard Reports are available to all the employees in their area of responsibility.
- » If there is an immediate risk of injury or illness an employee shall take action to make the area safe, ensuring their own safety is not jeopardized and immediately report the hazard to their Manager/Supervisor
- » The form should be signed by the person making the report and also the person responsible for corrective action.
- » If the Hazard can be controlled within the capacity and resources of the Manager/Supervisor then they shall carry out the corrective action. The Manager/Supervisor must also ensure that any HIGH level risk activity that has an immediate risk to the health and safety of any person is stopped or the item of plant or equipment tagged out.
- » A copy of the Hazard Report Form shall be provided to the reporting employee's Supervisor /Manager.

Insert business logo here

HAZARD MANAGEMENT PROCEDURE

- » On receipt of the Hazard Report the Supervisor / Manager shall:
 - » File the Hazard Report form for future reference.
 - » Investigate the hazard by either contacting the reporting employee or physically inspecting the hazard.
 - » If the actions are not able to be carried out by the supervisor / manager the hazard is to be referred to the appropriate department/manager for action.
- » If the Hazard is not already logged in the Hazard Register or there are new corrective actions the Manager/Supervisor is to enter the details in the Hazard Register for action and monitoring.
- » Copies of Hazard Report are to be filed at the workplace under Hazard Reports in the Risk Management Manual.
- » If the Actions required are to be carried out by assets staff or require capital works then a Works Request is to be completed and forwarded to the Assets Manager.
- » The Manager /Supervisor is to ensure feedback is provided to the employee who raised the initial Hazard Report.

3. RISK ASSESSMENT PROCESS

The Risk Assessment Process is used at David Hayes Holdings to decide the level of risk by considering the likelihood of the hazard causing injury and the severity of the outcome. The steps to be taken are as follows:

- » Consider the likelihood of exposure to the hazard:
 - » Very likely to occur frequently.
 - » Likely to occur but not frequently.
 - » Unlikely to occur.
 - » Very unlikely could happen but only in exceptional circumstances.
- » To assess consequences, consider if the hazard may cause an injury/illness which is:
 - » **Catastrophic** – may cause death or total loss of one or more bodily functions (eg loss of an arm, sight in one eye or a leg) – more than 4 months off work.
 - » **Critical** – may cause severe injury – permanent loss of one or more bodily functions (eg noise induced hearing loss, severe injury or major property damage – 2 weeks to 4 months off work).
 - » **Major** – may cause a “reportable” accident or significant property damage – 5 days or more off work.
 - » **Minor** – may cause minor injury, illness or property damage – 1 to 5 days off work.
 - » **Negligible** – first aid only accident – less than 1 day off.

Insert business logo here

HAZARD MANAGEMENT PROCEDURE

- » Use the risk table matrix to decide the level of risk. For example in a risk assessment of an unguarded power take off – an injury may be assessed as likely to happen, but not frequently. However it could have a catastrophic outcome such as losing an arm. The risk rating priority in this case would be urgent.

Probability	Catastrophic	Critical	Major	Minor	Negligible
Very likely	1	1	2	3	3
Likely	1	2	3	4	4
Unlikely	2	3	4	4	4
Very Unlikely	3	3	4	5	5

Risk rating priority:

1=urgent

2=high

3=medium

4=low

5=monitor

- » Prioritise risks to be controlled.
- » Consider possible controls for each risk and develop controls:
 - » firstly, attempt to eliminate the problem – if not possible, minimise the risk by considering:
 - » engineering control options including substitution, isolation, design, modification, guarding and/or mechanical ventilation – if not possible:
 - » use administrative controls and/or as a last resort:
 - » personal protective equipment.
 - » Plan implementation of the control strategy.
 - » Monitor the use of the controls.
 - » Review the outcomes to ensure:
 - » control measures eliminate or reduced the risk;
 - » control measures did not introduce any new hazards; and
 - » the process to identify hazards and manage risks worked effectively.

4. DOCUMENTATION

- » Hazard report form
- » Hazard Register

5. REVIEW OF POLICY/PROCEDURE

This policy will be reviewed annually in consultation with Health & Safety Representatives / employees.

STABLE HAZARD/HOUSEKEEPING INSPECTION SHEET

Insert business logo here

Categories	OK (Yes/No)	Comments	Responsible Person	Action Due By
Section 1 - Outdoor Areas				
1. Work Environment				
Thermal comfort				
Adequate airflow				
Lighting - general & emergency				
1.1 Floors and horse walking areas				
Floors even and in good condition				
No clips, trips, fall hazards or open drains				
Clear of stock/materials				
1.2 Stable doorways, yard and paddock gates				
Not obstructed, corridors clear				
Operate without excessive force				
Correctly signed				
Fire doors not propped open or blocked				
Exposed bolts, latches, chains				
1.3 Boxes, yards and paddocks, laneways				
Doors and gates operate without force				
No broken lining boards in boxes or shelters, no sharp edges, splinters, holes cracks				
Feed bins clean and free of sharp edges				

STABLE HAZARD/HOUSEKEEPING INSPECTION SHEET

Insert business logo here

Categories	OK (Yes/No)	Comments	Responsible Person	Action Due By
Water buckets clean - auto waterers operational and clean				
Yards clean and free of hazards - rocks, stones, holes				
post and rails not damaged				
Clean bedding. Soiled bedding removed to suitable disposal area				
Laneways free of obstacles, hazards				
Electric fencing strained and operational				
No machinery or tools lying in walk area				
1.4 Tracks and paddocks where horses are worked				
No machinery or tools on or adjacent to track				
No holes or rubbish				
Post and rails in good repair				
Section 2 - Ancillary Rooms				
2. Storage room and tack room				
Free of trip hazards and floor anti-slip				
No sharp edges to cupboards				
Locks working				
Heaviest objects stored between shoulder and hip height				

STABLE HAZARD/HOUSEKEEPING INSPECTION SHEET

Insert business logo here

Categories	OK (Yes/No)	Comments	Responsible Person	Action Due By
Lightest objects above shoulder height or below hip height				
Ease of accessing gear or other items				
Appropriate step ladder(s) available				
Adequate lighting				
Adequate ventilation				
2.1 Feed room				
Clear and uncluttered				
Feed storage bins in good order, lift up lids can be secured				
Lifting practices are known and used when emptying feed into storage rooms				
Floor anti-slip, free of objects				
Lighting suitable to see under shelves				
Adequate ventilation				
Trolley available				
Dust masks available when tipping feed				
Lightest objects above shoulder and below hip height				
Heaviest objects between shoulder and hip height				
Ease of accessing objects				

STABLE HAZARD/HOUSEKEEPING INSPECTION SHEET

Insert business logo here

Categories	OK (Yes/No)	Comments	Responsible Person	Action Due By
Grain crusher guards and instructions in place				
Vermin check - spiders and mice				
2.2 Toilets, washrooms, staff rooms				
Hygienic and tidy				
Lighting adequate				
Adequate ventilation				
Suitable hand washing and drying facilities				
Section 3 - Grounds and Amenities				
Are the following clean, tidy, even and non-slip: paths, walkways and roadways, handrails, steps and stairs				
No damage to stands and settings				
Indoor air quality adequate				
Dust reduced by spraying water				
No pot holes / open drains				
Lighting adequate				
Risks from neighbouring workplaces controlled				
Vegetation kept under control				
No pedestrian / vehicle blind spots				
Compliance with parking rules				

STABLE HAZARD/HOUSEKEEPING INSPECTION SHEET

Insert business logo here

Categories	OK (Yes/No)	Comments	Responsible Person	Action Due By
3.1 Ladders and steps				
Stored correctly				
No broken or missing rungs or other defects				
Fall protection provided in high ladders				
3.2 Stairways (if applicable)				
Adequate illumination				
Free of trip, slip and fall hazards				
Steps deep enough and anti-slip surface				
Handrails / toeboards				
No broken / chipped edges				
Landings clear of obstructions				
Handrails in good condition				
Section 4 - Electricity Source, Fire Equipment, Security				
4. Power outlets, cords and boards				
No double adaptors				
No piggy back plugs				
Covered leads if across walkways, internal roads or paths (trip hazard)				
Good condition				
Earth leakage problem				

STABLE HAZARD/HOUSEKEEPING INSPECTION SHEET

Insert business logo here

Categories	OK (Yes/No)	Comments	Responsible Person	Action Due By
Free of obstruction				
No exposed power / energy sources				
4.1 Fire Equipment				
Not obstructed				
Correctly signed				
Locking devices / seals unbroken				
Inspection tags present and checked within 6 months				
Fire extinguishers operational				
Fire hoses operational				
Fire pumps in operational order				
4.2 Security Management				
Visual deterrents such as surveillance, signage and security				
Alarms situated properly				
Security measures in place for staff working on their own and those working in hours of darkness				
Employees trained appropriately in the event of threatening circumstances				
Counselling available for victims of threatening situations / circumstances				

STABLE HAZARD/HOUSEKEEPING INSPECTION SHEET

Insert business logo here

Categories	OK (Yes/No)	Comments	Responsible Person	Action Due By
Cash management procedures in place				
Section 5 - Work Practices, Machinery and Tools				
5. Work Practices - Trainer and Staff				
Correct use of PPE (personal protective equipment)				
Correct manual handling procedure				
Horse handling techniques				
Correct use and storage of equipment				
Adequate waste containers				
Isolation procedure developed and used				
Clear aisle access				
Evacuation procedure known				
First Aid Attendant(s) known				
First Aid Kit adequately stocked				
Hazard reporting procedure known				
Ergonomic aspects addressed (e.g. safe office furnishings / well-designed work areas)				
5.1 Use and storage of tools, machinery & equipment (including horse walkers, horse floats and trailers)				
In sound working order				

STABLE HAZARD/HOUSEKEEPING INSPECTION SHEET

Insert business logo here

Categories	OK (Yes/No)	Comments	Responsible Person	Action Due By
Registration up to date				
Employees trained in correct usage of tools and machinery				
Tools in good working order i.e. pitchforks, shovels, wheelbarrows, rakes, power tools - blowers, electric clippers, ventolin pumps, electric leads, power points, switches				
Tools placed securely (not able to fall)				
No sharp edges				
Pre-operating instructions for tools and machinery are available i.e. tradmills, horse walkers, swimming pools, horse spas				
Warning and instructions for machinery and tools is displayed				
No damage to furniture or fittings				
Section 6 - Tack and Gear, Chemicals				
6. Tack and Gear				
Regularly inspected or wear and tear and replaced; saddles, bridles, head collars, bits, leads, rugs, sheets, bandages, boots suitable for the task				
No sharp edges on tack or gear				
PPE instructions correctly displayed, used, not out of date i.e. vests, skull caps				

STABLE HAZARD/HOUSEKEEPING INSPECTION SHEET

Insert business logo here

Categories	OK (Yes/No)	Comments	Responsible Person	Action Due By
Gear stored correctly				
No damaged gear is used				
Gear is clean, appropriate disinfecting regime of bits between horses				
6.1 Chemicals				
Correct labelling				
Stored correctly				
Hazards made aware to employees				
No flammable substances in stables				
MSDS (Material Safety Data Sheets) available at point of use (e.g. disinfectant - dilution rates / first aid)				

ANNEXURE S: Works Request/Hazard Report

Insert business logo here

WORKS REQUEST / HAZARD REPORT

Request Number: _____

Priority	Urgent <input type="checkbox"/>
	Planned Work <input type="checkbox"/>
	Seasonal <input type="checkbox"/>
	OHS <input type="checkbox"/>
Description of Work/Hazard	
Date Identified:	
Requested/Reported By:	
Location of Work to be Done/ Hazard	
Manager Requesting:	
Date of Request:	
Request Received By:	
Signature:	
Date:	
Request Logged & Scheduled	

ANNEXURE T: Hazard Register

HAZARD REGISTER

Insert business logo here

Date	Location	Hazard Type	Hazard Identified	Initial Risk	Existing Controls	Corrective Action Controls Description	Person Responsible	Due Date	Residual Risk	Progress	Date Completed
23/1/11	Organisation Wide	Falling from Heights	Falling off, being knocked or thrown off a horse is major hazard of this industry	Extreme	PPE - Safety Vests, High Visibility Vests, Safety Helmets, Horse and Rider are matched by temperament and skill level.	Rider Capability assessment to be formalised and method of recording the selection of horse and rider combination to be developed. Review of track and site for potential problem areas. Review vehicle and horse movement on site to reduce areas of interaction.	Site Manager		High		

ANNEXURE U: Weekly Supervisor's Inspection Checklist

Insert business logo here

SUPERVISOR'S WEEKLY HAZARD/ HOUSEKEEPING CHECKLIST

Location: _____ Inspection by: _____

Date Last Inspection: _____ Date: _____

ITEM	Yes	No	N/A
1. No items blocking passageways fire doors and exits			
2. No items blocking access to fire appliances			
3. All emergency equipment in safe working condition			
4. Emergency information in a prominent position for employee's reference			
5. Fire extinguishers on wall brackets, signposted and checks up to date (last check should have been within 6 months)			
6. All emergency exit signs visible and illuminated			
7. NO Smoking policy adhered to (No cigarette butts)			
8. First Aid Kits in place, clean, contents to be checked and any missing items replaced			
9. All electrical appliances switched off when not in use and in safe condition			
10. Electrical appliances in safe working order (no faulty wiring)			
11. Contractors procedures being adhered to including hot work permits			
12. All employees wearing correct PPE			
13. New employees introduced to procedures and safety rules			
14. All areas free of non-essential items and rubbish			
15. Doors and Gates Operate safely			
16. All gates and doors secured correctly where required			

Any other specified hazards to report: _____

Signature of Supervisor _____

Date _____

Insert business logo here

POLICIES AND PROCEDURES HAZARDOUS SUBSTANCES POLICY

Name of business is committed to ensuring the health and safety of its employees, the community and the environment by controlling the purchase, storage, use and disposal of Hazardous Substances. *Name of business* recognises that in some instances hazardous substances are used and as such require measures to eliminate and control risks of exposure to all employees. An imperative part of these measures includes supplying employees with information about the substances they are exposed to.

No employee shall use a Hazardous Substance before receiving instruction in the hazards and risks associated with its use and the precautions necessary to minimise them.

The purchase of new or alternative substances must be done in conjunction with a full hazard identification and risk assessment details of which must be stored close to where they are used and communicated to all employees who may come into contact with the product. The use of Hazardous Substances shall be subjected to continuous review, with the aim of eliminating their use or their substitution by less hazardous substances.

MANAGER AND SUPERVISOR RESPONSIBILITIES

Managers and Supervisors are responsible to ensure that they obtain a copy of up to date Material Safety Data Sheets (MSDS) for all hazardous substances prior to use. These sheets should be collated and maintained in a file which is readily accessible by all employees and located as near as practicable to where the substance(s) is used.

Managers and Supervisors should use MSDS when designing or modifying work processes and evaluating control measures and pay particular attention to the information supplied regarding disposal or the substance, any containers used and for First Aid information.

Specialist advice may be sourced if required regarding the risks associated with an established work practice or one which is being modified.

Managers and Supervisors are responsible for:

1. Ensuring that employees are aware of the dangers of Hazardous Substances and the precautions to be observed in their handling and storage;
2. Ensuring that adequate and proper signage as required is installed and maintained & ensure employees understand and observe such signage;
3. Monitoring and recording the use of such substances to minimise risks to health and safety;
4. Obtaining and maintaining material safety data sheets (MSDS) for all Hazardous Substances and make such information available to any employee;
5. To supply the Site Manager with a list of all employees either using or likely to use Hazardous Substances; to enable appropriate provision for training;
6. To supply and maintain in good and clean condition any personal protective clothing and

Insert business logo here

POLICIES AND PROCEDURES HAZARDOUS SUBSTANCES POLICY

equipment as may be appropriate or necessary to protect employees;

7. To provide adequate first aid facilities appropriate for the nature of the hazard.

EMPLOYEE RESPONSIBILITIES

Employees should advise their Supervisor if the correct control measures are not being carried out. In addition they should ask their supervisors where to find MSDS. They should also take sufficient time to read the MSDS and familiarise themselves with the necessary control measures and any associated hazards prior to use of a substance in the workplace. If an employee is unsure of any information contained within a data sheet and requires clarification, they should not hesitate to contact their Supervisor/Manager. In addition employees are required to:

- » follow the instructions given in order to safely handle Hazardous Substances;
- » use protective clothing and equipment provided;
- » apply training given in the use and handling of Hazardous Substances.

This policy shall be reviewed bi-annually and updated as required to reflect workplace change.

SIGNED:

General Manager

Date / /

Site Manager

Date / /

Insert business logo here

HAZARDOUS SUBSTANCES PROCEDURE

SCOPE AND PURPOSE

This procedure states *name of business's* intent, allocates responsibilities and defines those actions to be undertaken by all employees of *name of business*, in order to ensure the effective management of hazardous substances in the workplace.

DEFINITION OF HAZARDOUS SUBSTANCE

For the purposes of this procedure a hazardous substance is defined as any substance, be it in solid, liquid or gaseous form, which has the potential to cause damage or harm to personal health or property.

OBJECTIVES

Name of business recognises its responsibility to prevent the occurrence of injuries or ill health resulting from the use and storage of hazardous substances in the workplace. Therefore, it is the policy of *name of business* to achieve a working environment in which exposure to and use of hazardous substances is eliminated where possible, or minimised so as to be safe. Wherever necessary, appropriate safe work procedures shall be developed through consultation and participation within all levels of the workplace.

REQUIREMENTS OF THIS PROCEDURE

The following general requirements must be adhered to by the entire *name of business* workforce: The quantity of hazardous substances in the workplace shall be kept to a minimum quantity required;

- » Hazardous substances shall only be stored for as long as they are required. If they no longer need to be used they shall be disposed of accordingly;
- » Material Safety Data Sheets shall be kept on all products and updated regularly. The appropriate MSDS must be kept in the immediate proximity to where the substance is in use.
- » All hazardous substances shall be entered into the hazardous substance register by the person responsible, and the material safety data sheet obtained before the introduction and use of any substance.
- » When purchasing a new substance, the product with the lowest toxicity level must always be given preference as far as is reasonable;
- » The hierarchy of controls measures should be applied in priority order when making decisions regarding the management of hazardous substances:

elimination of non essential substances;

substitution for less hazardous substances or processes;

isolation through separation of the substance from people by distance or process;

engineering controls using equipment, machinery or processes to contain or remove the hazardous substance;

safe work practices to change the way people do the job or having safe work procedure about how to do the job safely;

personal protective equipment or clothing suitable for the substance, fitted to the employee and complying with the relevant Australian Standards;

Insert business logo here

HAZARDOUS SUBSTANCES PROCEDURE

- » All flammable substances are required to be kept in an easily identifiable purpose built flammable liquids cupboard in accordance with AS1940.

SPECIFIC ROLES

The following roles shall determine the more detailed requirements to be met in achieving the effective management of hazardous substances control.

The General Manager has delegated responsibility to the following persons to monitor and implement this Procedure:

- » All managers and supervisors;
- » An assigned purchasing employee;
- » The Site Manager.

CONSULTATION

Consultation shall occur between Management, Health and Safety Representatives and employees to identify, assess and control exposure to hazardous substances, minimise risks, and maximise the safety of procedures.

Consultation will occur prior to any new substances or new work process, of a hazardous nature, being introduced to the workplace.

The necessity to use hazardous substances will be regularly reviewed by the safety committee.

TRAINING

All employees are to receive training on the management of hazardous substances and instruction in the understanding of Material Safety Data Sheets before commencing any work involving the use of such substances.

Management is responsible for providing appropriate instruction, training and supervision of all employees relating to the implementation of this procedure, any safe work practices relating to the use of hazardous substances and in the appropriate type, use and maintenance of any personal protective equipment.

All hazardous substance training must be recorded and kept for a period of not less than five years.

INFORMATION PROVISION

Name of business recognise that in order to achieve responsible and effective management of hazardous substances, the following provisions must be implemented:

- » All hazardous substances are to be ordered by a nominated, authorised person(s);

Insert business logo here

HAZARDOUS SUBSTANCES PROCEDURE

- » Delivery of any new hazardous substances shall not be accepted from the supplier unless accompanied by a MSDS. All containers must be appropriately labelled. Should a supplier be unwilling to supply the MSDS or correct labelling, an alternative product/supplier shall be sought;
- » Area Managers are responsible for ensuring that all containers of hazardous substances that are decanted at the workplace are appropriately labelled. Unlabelled containers shall not be used or stored in the workplace;
- » A Hazardous Substance Register containing all Material Safety Data Sheets for hazardous substances used by *name of business* is to be established and maintained.
- » The Hazardous Substance Register is to be accessible to all employees whenever it is required.
- » Information on labels and material safety data sheets are to be in accordance with requirements as specified in the relevant Approved Code of Practice for the Labelling of Workplace Substances and the relevant Approved Code of Practice for the Preparation of Material Safety Data Sheets.
- » To ensure that appropriate control measures are in place, Managers will ensure that regular Hazardous Substance Audits are conducted at least annually.
- » The Hazardous Substance Register will contain:
 - » Location of the stored substances.
 - » Applicable Policies and Procedures and controls.
 - » List of all hazardous substances used and quantity held.
 - » Full MSDS' for all hazardous substances used at the workplace.
 - » List of Emergency contact numbers.
- » Material Safety Data Sheets are to be made available to any employee instructed to use a particular substance upon their request.

EMERGENCY SERVICES

In the event of an emergency, the hazardous substance register is to be made available to local emergency services.

Hazardous substances will be stored in accordance with instructions on labels and material safety data sheets.

DISPOSAL OF HAZARDOUS SUBSTANCES

Hazardous substances and/or containers handled or stored must be disposed of in accordance with instructions on individual labels or material safety data sheets and according to existing legislation.

PERSONAL HYGIENE

Personal Hygiene safety requirements are provided on all material safety data sheets and must be followed by all employees. Company XYZ will ensure that hygiene facilities are available.

Insert business logo here

HAZARDOUS SUBSTANCES PROCEDURE

RECORDS

Records of training, details of any safe working procedures and records of assessments will be maintained in the Hazardous Substances Register.

All injuries, exposures and near miss incidents relating to hazardous substances will be reported and investigated accordingly.

This procedure shall be reviewed annually and updated as required to reflect workplace change.

ANNEXURE X: Risk Assessment - Hazardous Substances

Insert business logo here

Risk Assessment Checklist
Hazardous Substances

Doc No.:

Page 1 of 4

Date:	Location:	Cycle being assessed <input type="checkbox"/> Storage <input type="checkbox"/> Use <input type="checkbox"/> Mixing <input type="checkbox"/> Decanting <input type="checkbox"/> Disposal	If use, how is the substance used? <input type="checkbox"/> Sprayed on <input type="checkbox"/> Brushed on <input type="checkbox"/> Wiped on <input type="checkbox"/> Dipped in
Substance Description			
Manufacturer/Supplier			
Material Safety Data Sheet Number	HAZCHEM Code	Poison Schedule	
UN Number	Dangerous Goods Class	Package Group	

Evaluation Matrix	Consequence			
	Critical (Disability)	Major (Lost time)	Serious (Injury)	Minor (First Aid)
Very Likely (might happen sometime through the day)	Extreme	Extreme	High	Moderate
Likely (might happen sometime through the week)	Extreme	High	Moderate	Low
Unlikely (might happen sometime this month)	High	Low	Low	Insignificant
Very Unlikely (might happen sometime)	Moderate	Moderate	Insignificant	Insignificant

- » Acute damage is damage that will happen immediately
- » Chronic damage is damage that happens over a longer period of time and may not be noticed for some time

ANNEXURE X: Risk Assessment - Hazardous Substances

Insert business logo here

Risk Assessment Checklist
Hazardous Substances

Doc No.:

Page 2 of 4

Respiratory Hazards	Describe	Risk
1. Acute respiratory or inhalation problems for operators, including exclusion of oxygen		
2. Chronic respiratory or inhalation risks for operators		
3. Acute or chronic respiratory or inhalation risks for other people in the area		
Skin Irritation or Dermatitis Hazards	Describe	Risk
4. Acute or chronic skin irritation or damage to operators		
5. Any type of skin irritation or damage to others in the area		
6. Possible skin irritation to other people who might come into contact with residue		
Eye Irritation or Damage Hazards	Describe	Risk
7. Any type of eye damage to operators		
8. Any type of eye damage to other people in the area		
Ingestion or Poisoning Hazards	Describe	Risk
9. Acute problems associated with swallowing, eating or ingesting the substance		
10. Chronic problems associated with swallowing, eating or ingesting the substance		
Carcinogenic, Mutagenic or other Biological Hazards	Describe	Risk
11. Threats to operators and those with high exposure		
12. Threats to other people or those with low exposure		

ANNEXURE X: Risk Assessment - Hazardous Substances

Insert business logo here

Risk Assessment Checklist
Hazardous Substances

Doc No.:

Page 3 of 4

Environmental Hazards and Emergency or Storage Hazards	Describe	Risk
13. Acute environmental damage		
14. Long term or delayed environmental damage		
15. Fire or Explosions or other chemical reactions		
16. HAZCHEM or Dangerous Goods warning and placarding requirements		
17. Storage or packaging with other substances or in certain environments		
18. Problems associated with transporting the substance around the site		
19. Poor labelling or information about the substance		

Any hazards that score a risk rating of 4 or 5 must have treatments developed.

ANNEXURE X: Risk Assessment - Hazardous Substances

Insert business logo here

Risk Assessment Checklist
Hazardous Substances

Doc No.:

Page 4 of 4

Treating Risks

Hazard (The identified hazard taken from the checklist)		Initial Risk	Suggested Control <i>(Using highest level control possible)</i> 1. Eliminate the substance completely, or 2. Substitute the substance with a less hazardous substance, or 3. Re-engineer the machine using extraction or barriers so operators do not come into contact with the substance, or 4. Use administrative measures like training and work instructions, or 5. Provide operators with suitable personal protective equipment such as glasses, gloves or aprons.	Residual Risk
No	Details			
Does a Works Request have to be raised to implement the requirements? Yes / No			Request Number	

Assessors

Signatures

ANNEXURE Y: Animal Welfare - Legislation & Codes

Each State and Territory has an animal welfare legislation that sets out the way in which animals should be treated by law.

State	Animal Welfare Act	Department to contact
ACT	Animal Welfare Act 1992	Environment ACT
NSW	Prevention of Cruelty to Animals Act 1979	Department of Primary Industries
NT	Animal Welfare Act 2007	Department of Local Government, Housing and Sport
QLD	Animal Care and Protection Act 2001	Department of Primary Industries and Fisheries
SA	Animal Welfare Act 1985	Department for Environment and Natural Resources
TAS	Animal Welfare Act 1993	Department of Primary Industries, Water and Environment
VIC	Prevention of Cruelty to Animals Act 1986	Department of Primary Industries
WA	Animal Welfare Act 2002	Department of Local Government and Regional Development

There are also a number of horse welfare codes of practice and guidelines that exist to ensure the welfare of horses in a number of different situations.

Listed below are the various documents in place nationally and in each State and Territory. Please note that these codes serve as a guideline only. Actions of individuals are unlawful only if they are seen to contravene the animal welfare act in that State or Territory.

Federal - Department of Agriculture, Fisheries & Forestry

- » Model Code of Practice for the welfare of animals - Land Transport of Livestock (horses)
- » Model Code of Practice for the welfare of animals – Animals at Saleyards
- » Standards for the Care and Treatment of Rodeo Livestock

Australian Capital Territory

- » Code of Practice for the Welfare of horses in the ACT

Victoria

- » Code of accepted farming practice for the welfare of horses
- » Code of Practice for the land transport of horses (Victoria)
- » Code of practice for the tethering of animals
- » Code of practice for the public display and exhibition of animals
- » Code of practice for the welfare of film animals
- » Code of practice for the care and use of animals for scientific purposes
- » Code of practice for the welfare of horses competing at bush race meetings

Tasmania

- » Tasmanian Equine Welfare Guidelines

New South Wales

- » Code of Practice for Horses in Riding Centres and Boarding Stables
- » Code of Practice for animals used in rodeo events
- » Code of Practice for animals in film and theatrical performances
- » Protecting the Welfare of horses competing in bush races in NSW
- » Guidelines for minimum standards for keeping horses in Urban areas

Queensland

- » Queensland Code of practice for the welfare of animals in film
- » Queensland Code of Practice for Circuses

Industry Codes

Many horse organisations have Codes of Practice and operating policies e.g. Hot Weather Policy that are applied or enforced through event entry conditions, Rules of Racing or Competition or as part of membership.

Horse owners have a responsibility to familiarise themselves with Codes relevant to their own organisation or event for which horses have been entered.

ANNEXURE Z: Horse Management Plant & Equipment

Insert business logo here

Risk Assessment Checklist Horse Management Plant and Equipment

Doc No.:

Page 1 of 10

This checklist is to be used to Assess the risks of Plant and Equipment used to manage a Horse on the Property of *name of business*. It is to be completed prior to any modification, improvement or new building works.

Date:	Description of Equipment:	Location:
-------	---------------------------	-----------

Who will this activity affect?

Stable Hands Visitors Riders Maintenance Contractors Horses

Who has been consulted?

Stable Hands Visitors Riders Maintenance Contractors HR/OHS

Evaluation Matrix	Consequence			
	Critical (Disability)	Major (Lost time)	Serious (Injury)	Minor (First Aid)
Likelihood				
Very Likely (might happen sometime through the day)	Extreme	Extreme	High	Moderate
Likely (might happen sometime through the week)	Extreme	High	Moderate	Low
Unlikely (might happen sometime this month)	High	Low	Low	Insignificant
Very Unlikely (might happen sometime)	Moderate	Moderate	Insignificant	Insignificant

Enter a "0" if there is no risk of event or injury or the hazard is not present at all.

Mechanical Hazards	Describe	Risk
1. Can a person be hurt by any mechanical devices or machine parts or items within the enclosure? (<i>The shape, relative location, mass and stability, lack of mechanical strength of either the machine or the materials being worked with or on</i>)		
2. Can a person be hurt by elementary forms of mechanical hazards (<i>crushing, shearing, cutting, entanglement, drawing in or entrapment, impact or puncturing, friction or abrasion and high pressure fluid</i>). This will include moving equipment, opening doors.		

ANNEXURE Z: Horse Management Plant & Equipment

Insert business logo here

Risk Assessment Checklist
Horse Management Plant
and Equipment

Doc No.:

Page 2 of 10

<p>3. Can accumulated energy within the machine cause an injury? <i>(Elastic or rebound type elements, liquids or gases under pressure or vacuum or any other residual energy that may be released. Will include hydraulic equipment).</i></p>		
Electrical Hazards	Describe	Risk
<p>4. Can persons or horses within or using the equipment make contact with live parts or parts which may become live?</p>		
<p>5. Are there any underground or hidden cables? If so, are they identified and marked?</p>		
<p>6. Are there live parts carrying high voltage including overhead power cables in the enclosure or close to the perimeter?</p>		
<p>7. Are the distribution boards and electrical circuits sized appropriately to reduce the effects from overloads or short circuits?</p>		
<p>8. Are electric cables and other electrical equipment close to water or other potentially damaging or conductive substances? If so, are they suitable for the environment?</p>		
<p>9. Is there a potential electrostatic phenomenon that could cause an ignition source?</p>		
<p>10. Is the electrical equipment suitable for the duty required? eg. double adaptors not used</p>		
<p>11. Is all electrical equipment provided with RCD Protection including portable equipment?</p>		
<p>12. Is there risk of electrolysis through the use of dissimilar materials?</p>		
<p>13. Are there sufficient numbers of power points and located in an appropriate location so as</p>		

ANNEXURE Z: Horse Management Plant & Equipment

Insert business logo here

Risk Assessment Checklist
Horse Management Plant
and Equipment

Doc No.:

Page 3 of 10

to reduce the need to use extension cords or power boards?		
Thermal Hazards	Describe	Risk
14. Can a person or horse receive a Burn or scald caused by direct contact with flames, hot liquids or radiation from heat sources?		
15. Are the employees and visitors exposed to UV Radiation?		
Noise Hazards	Describe	Risk
16. Is the noise level above 85dBA or at a level that could cause physiological disorders such as fatigue and loss of balance or awareness?		
17. Is the noise level such that it can cause interference with speech or acoustic communication?		
18. Could the noise level cause distress to horses?		
Work Environment	Describe	Risk
19. Are there particularly unsafe floors or ground condition where staff need to access? i.e. can staff move around easily without risk of slips, trips and falls?		
20. Are there any confined spaces that require a permit to work as defined by AS2865?		
21. Are the employees exposed to cold, hot or wet conditions?		
22. Are the floors hazardous because of clutter or spills or poor storage space?		
23. Are there pits, sumps and drains that may cause injury due to trips and falls or due to cleaning and emptying drains and sumps?		

ANNEXURE Z: Horse Management Plant & Equipment

Insert business logo here

**Risk Assessment Checklist
Horse Management Plant
and Equipment**

Doc No.:

Page 4 of 10

24. Does any work with the plant and equipment require a person to work at heights?		
25. Is it possible for unauthorisd entry by public/ employees into moving parts or hazardous areas of the equipment?		
26. Is the lighting adequate for staff activities and to observe animals handled by the equipment?		
27. Are there adequate facilities to clean the equipment of any waste products and litter?		
28. Storage areas are adequate for: <ul style="list-style-type: none"> » Feed » Waste » Equipment 		
29. Are personal access doors proportioned to provide safe and easy access and egress?		
30. Are water and power isolation points easily accessible?		
31. If deep water is accessible to staff, are staff provided with protection from falling in the water? Or provided with readily accessible rescue devices?		
32. Are there adequate facilities for staff to carry out administrative functions? eg. log writing		
General Visitor Factors	Describe	Risk
33. Can visitors gain access to equipment when staff are not present?		
34. Does the design prevent staff and visitors from putting parts of their body (eg. fingers) into the equipment such that they can be injured?		

ANNEXURE Z: Horse Management Plant & Equipment

Insert business logo here

Risk Assessment Checklist
Horse Management Plant
and Equipment

Doc No.:

Page 5 of 10

35. If a horse is potentially dangerous (eg. kicks or bites), are there adequate signs warning members of staff and visitors about the specific hazards?		
36. Are there any sharp edges or other hazardous items that may injure a visitor while observing training activities?		
Hazards Generated by Hazardous Substances	Describe	Risk
37. Are employees and animals in contact with or at risk of inhalation of fluids, mists, gases, fumes or dust?		
38. Is there any risk of fire/explosion as a result of use, storage or spill of any hazardous substance?		
39. Are there any specific biological or microbiological issues in relation to the horses?		
40. Are there any potential hazards to employees or horses associated with swallowing, eating or ingesting the substances used and stored?		
41. Are there adequate storage facilities for class 8 (flammable) substances and other hazardous substances?		
42. Does the type of substance used or stored require safety shower or eye wash station and if so, is it accessible to the likely hazard?		
43. Are substances stored in their original containers or clearly labelled with appropriate warnings if required?		
44. Is appropriate signage displayed and MSDS Register available?		

ANNEXURE Z: Horse Management Plant & Equipment

Insert business logo here

Risk Assessment Checklist
Horse Management Plant
and Equipment

Doc No.:

Page 6 of 10

Manual Handling	Describe	Risk
45. Does the design of the equipment or plant require an unhealthy bent, twisted, cramped or awkward posture or excessive effort?		
46. Does the work require frequent or prolonged manual handling?		
47. Does the staff member have to handle heavy loads (more than 10kg)?		
48. Does the operation of any slides, gates or access doors require excessive effort or awkward postures?		
49. Does the staff member have to hold, carry or remove awkward or difficult loads?		
Hazard due to Plant & Equipment Operation	Describe	Risk
50. Unexpected operation or start up of powered equipment eg. hydraulic motors, pumps		
51. Is moving machinery, gates and slides guarded sufficiently to prevent access to moving parts that could provide a nip point or other hazard?		
52. Is unauthorised use of equipment prevented eg. switches and devices accessible to visitors or unauthorised staff locked to prevent operation?		
53. With electrically or hydraulically operated equipment, will the failure of the power supply result in the ability to release horses manually if required?		
54. Will the failure of the control circuit result in it "failing safe"?		
55. Does the enclosure contain any pressurised		

ANNEXURE Z: Horse Management Plant & Equipment

Insert business logo here

Risk Assessment Checklist
Horse Management Plant
and Equipment

Doc No.:

Page 7 of 10

Manual Handling	Describe	Risk
plant? eg. air receiver, hydraulic accumulator?		
56. During maintenance or relocation of horses by transporter, does moving machinery need to be operated in close proximity to horses or staff?		
57. Is there clear signage showing the safe operation of the equipment including hydraulic and electric controls and a documented Safe Operating Procedure detailing the procedure to be followed for all possible combinations?		
58. Do the locking methods prevent incorrect operation of the equipment and thus preventing injury to the horses or staff?		
59. Is there clear and safe access to service any plant and equipment?		
60. Is there access for lifting equipment eg. scissor lifts, forklifts and cranes for lifting large parts and horses if required?		
Additional Hazards & Events due to Animals	Describe	Risk
61. Does the equipment enclosure design prevent a horse escaping? ie. a horse cannot jump over a barrier		
62. If a horse in the equipment became unusually excited or frightened, could it cause harm to itself or to staff members?		
63. Could a horse in the equipment or adjacent cause operator inattention/distraction?		
64. Does the equipment design provide for easy and safe access to enable safe movement of a horse such that it does not cause high risk to		

ANNEXURE Z: Horse Management Plant & Equipment

Insert business logo here

Risk Assessment Checklist
Horse Management Plant
and Equipment

Doc No.:

Page 8 of 10

staff leading the horse?		
65. Is the equipment construction suitable and safe for the horse housed in the equipment?		
66. Normally safe/docile horses are potentially dangerous due to seasonal reasons, injury, or other activities; is there a clear process for recording changes in behaviour and or staff duties in relation to the horses?		
67. Can the horses in the equipment or adjacent to it have unplanned contact or viewing of other horses that may cause distress or cause the horse to behave unacceptably?		
First Aid / Health / Hygiene	Describe	Risk
68. Are first aid kits and trained first aiders accessible to staff and stocked appropriately with consideration given to equipment-specific risks.		
69. Is there personal protective equipment available? eg. gloves, glasses etc. Is it stored so that it is clean and in good condition?		
Emergency Equipment and Procedures	Describe	Risk
70. Have potential emergency situations been identified for this equipment? And are equipment-specific procedures developed or generic procedures confirmed as appropriate?		
71. Have arrangements been made to move the horses, fight the fire or humanely destroy the horse(s) should a fire occur?		
72. Is appropriate fire fighting equipment available and located correctly and access is clear?		

ANNEXURE Z: Horse Management Plant & Equipment

Insert business logo here

**Risk Assessment Checklist
Horse Management Plant
and Equipment**

Doc No.:

Page 9 of 10

73. Are smoke/flame/heat detectors fitted to provide early warning of a fire if required?		
74. Are emergency procedures, site plan and emergency contact phone numbers displayed and up to date?		
75. Are emergency procedures involving this equipment required and if so, have they been tested or evaluated?		
76. Are there any warning lights, alarms or other warning systems so that a staff member can raise an alarm if required?		

ANNEXURE Z: Horse Management Plant & Equipment

Insert business logo here

Risk Assessment Checklist
Horse Management Plant
and Equipment

Doc No.:

Page 10 of 10

Control Requirements

Hazard (The identified hazard taken from the checklist)		Initial Risk	Suggested Control <i>(Using highest level control possible)</i> 1. Eliminate the energy source completely, or 2. Substitute the energy sources with a less hazardous alternative, or 3. Re-engineer the machine using guards and better operator controls to minimise the risk, or 4. Use administrative measures including training and work instructions, or 5. Provide operators with suitable personal protective equipment such as glasses	Residual Risk
No	Details			
Does a Works Request have to be raised to implement the requirements? Yes / No			Request Number	

Assessors

Signatures

Insert business logo here

PURPOSE

The purpose of this procedure is to detail the legal and Company requirements for manual handling so as to eliminate or reduce the number and severity of Musculoskeletal Disorder (MSD).

SCOPE

This procedure applies to all tasks involving Manual Handling at *name of business*.

PROCEDURE

Application

This procedure applies to every task identified as involving “Hazardous Manual Handling” within the stables, training, feeding, shoeing, farm, maintenance and administration operations.

Responsibilities

It is the responsibility of the Manager/Supervisors, as far as is practicable, to provide and maintain a working environment in which employees are not exposed to the risks of MSD while performing manual handling activities in their workplace.

The Manager/Supervisors are responsible for:

- » Ensuring the design of the plant and equipment used is so far as is practicable free from risk of MSD when used.
- » Identifying the tasks in the workplace that involve hazardous manual handling.
- » Assessing the risk factors that are likely to cause MSD.
- » Eliminating the risk of MSD or, if not practicable, reduce the risk.
- » Ensuring that consultation takes place with employees regarding manual handling tasks performed and the health and safety representative for the area.
- » Ensuring that employees receive appropriate training and information on mechanical lifting devices and manual handling techniques and procedures.

Conducting Risk Assessments

Hazard identification

Identify those tasks that may involve “hazardous manual handling” and have the potential to cause MSD as follows:

- » Repetitive or sustained application of force
- » Repetitive or sustained awkward posture

Insert business logo here

Manual Handling Procedure

- » Repetitive or sustained movement
- » Application of high force
- » Exposure to sustained vibration
- » Handling loads that are unstable, unbalanced or difficult to hold

Establish the above using the Risk Assessment – Manual Handling tool. If any of the above are established, a control measure is required.

Risk Assessment

A risk assessment is undertaken in consultation with employee carrying out the manual handling task and the health and safety representative.

The assessment takes into account the following risk factors:

- » The postures, movements and forces involved in the task
- » Duration and frequency of the task
- » Environmental factors such as; heat, cold and vibration, that may effect the person carrying out the risk.

Use the risk assessment to carry out the assessment.

Risk Control

When the above risk factors have been established, steps need to be taken to eliminate so far as is practicable to minimise the risks using the “Hierarchy of Control” as follows:

- » Elimination: of the manual handling task
- » Engineering: providing appropriate mechanical aids
- » Administration: training, supervision, safe operating procedures

A combination of measures may be required and should be recorded on the Manual Handling Risk Assessment Forms.

Review Of Policy/Procedure

This policy will be reviewed annually in consultation with Health & Safety Representatives / employees.

ANNEXURE BB: Risk Assessment - Manual Handling

Insert business logo here

Risk Assessment Checklist
Manual Handling

Doc No.:

Page 1 of 2

Work Area: _____

Date: _____

Task: _____

Evaluation Matrix	Consequence			
	Critical (Disability)	Major (Lost time)	Serious (Injury)	Minor (First Aid)
Very Likely (might happen sometime through the day)	Extreme	Extreme	High	Moderate
Likely (might happen sometime through the week)	Extreme	High	Moderate	Low
Unlikely (might happen sometime this month)	High	Low	Low	Insignificant
Very Unlikely (might happen sometime)	Moderate	Moderate	Insignificant	Insignificant

Movements Performed Frequently or Prolonged Postures	Risk
1. Bending with hands below mid-thigh height	
2. Reaching with hands above shoulder height	
3. Reaching forwards	
4. Bent or twisted postures	
5. Other awkward or cramped postures	
Difficult Tasks or Loads	Risk
6. Frequent or prolonged manual handling	
7. Handling heavy loads (more than 10kg)	
8. Application of unexpected large forces (pushing, pulling or holding)	
9. Holding of awkward or difficult loads (awkward grips or sharp edges)	
Difficult Work Environments	Risk
10. Confined spaces	
11. Poor visibility	
12. Cold, hot or wet conditions	
13. Particularly unsafe floor or ground condition	
Work Organisation Difficulties	Risk
14. Need for speed, accuracy or both	
15. Peaks or sudden increases in work load	
16. Extended work hours	
17. Shortage of personnel	

ANNEXURE BB: Risk Assessment - Manual Handling

Insert business logo here

Risk Assessment Checklist Manual Handling	Doc No.:
	Page 2 of 2

Personal Factors	Risk
18. New employee or those returning from extended time off (>2 weeks)	
19. Older workers or those with recurrent disabilities	
20. Restrictions imposed by personal protective equipment or clothing	
21. Inadequate skills or experience	
22. Inadequate training	

Any Hazards that score a risk rating of 4 or 5 must have treatments developed.

Control Requirements

Hazard (The identified hazard taken from the checklist)		Initial Risk	Suggested Control <i>(Using highest level control possible)</i> 1. Eliminate the energy source completely, or 2. Substitute the energy sources with a less hazardous alternative, or 3. Re-engineer the machine using guards and better operator controls to minimise the risk, or 4. Use administrative measures including training and work instructions, or 5. Provide operators with suitable personal protective equipment such as glasses	Residual Risk
No	Details			
Does a Works Request have to be raised to implement the requirements? Yes / No		Request Number		

Assessors

Signatures

Insert business logo here

STANDARD OPERATING PROCEDURE Catching and Restraining a Horse

CAUTION

Horses can spook at a sudden movement or noise which could make them shy, jump or kick suddenly. This can result in you being stood on, bumped, kicked or knocked over.

Do not work in a small space between a wall and the horse because you can become trapped and injured.

To be safe, **keep your eyes** on the horse, use a calm and confident tone of voice and work at the shoulder of the horse not in front or behind the horse.

Go to the stable prepared with the bridle, head collar, halter and lead as required.

1. Walk towards yard, box or sand roll gate and make the horse aware of you, e.g. "Hey boy!"
2. Open gate or door and enter calmly while assessing horse's response.
3. Walk towards the horse preferably by its near side shoulder (that is the left fore leg).
4. Slide lead rope or reins over the neck and pick up the end creating a loop around the horse's neck which will act as a partial restraint.
5. To fit head collar, slip back strap around the neck first then offer the nose piece to the horse, slipping the horse's muzzle into the head collar; do up the strap and check for correct fit; making adjustments if necessary.
6. To bridle follow steps 1 to 4. Make sure bridle is loose enough to slide easily over the head when fitting it. Hold the bridle by the head piece with one hand while encouraging the horse to lower its head. When calm,
 - (a) Offer the bit in the other hand, guiding it to the horse's mouth and prompt the horse to pick up the bit. Use a finger on the side of its lips if necessary.
 - (b) Once the horse has picked up the bit, slide the head piece over the forelock and ears, off side ear first and clip neck strap.
 - (c) Check for proper fit of bridle and make adjustments if necessary. Put all straps into keepers.

This SOP does not necessarily cover all possible hazards associated with the task and should be used in conjunction with other references. It is designed to be used as an adjunct to Safety Procedures and to act as a reminder to users prior to carrying out task.

[Insert Stable Yard Name]

FIRE & EMERGENCY

EVACUATION

PLAN

Emergency Coordinator Name:

Mobile:

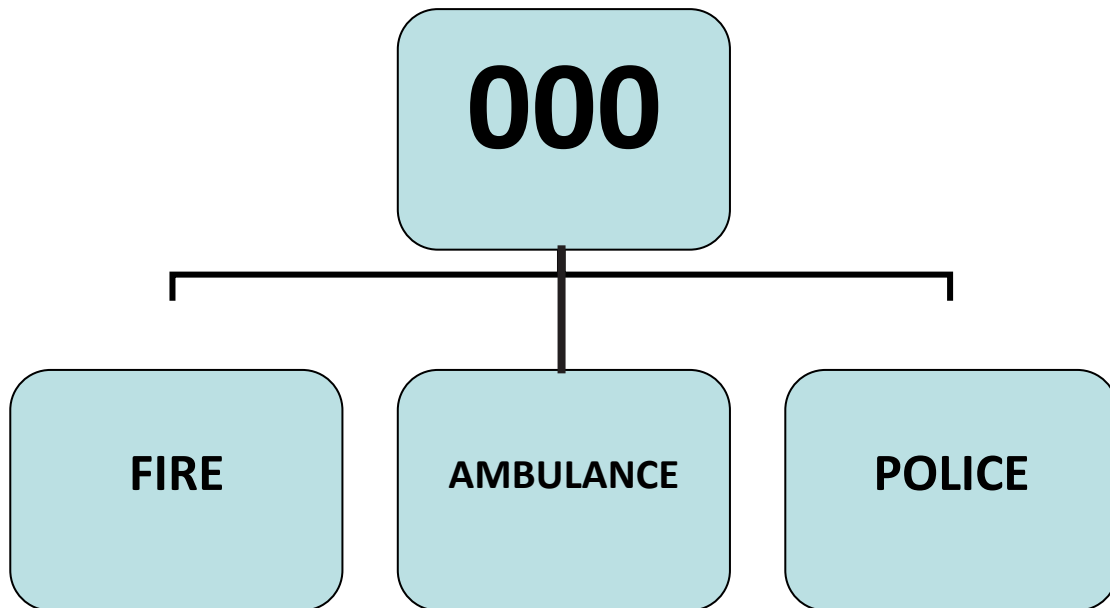
Trainer:

Stable Yard Address:

Phone:

Mobile:

EMERGENCY TELEPHONE NUMBERS



Note: If calling from a mobile: 112

Additional Contacts

Veterinarian:

Poisons information: 131126

Emergency Disease Hotline: 1800 675 888

Equine Transport Ph:

Contents

Emergency Numbers	2
Purpose	3
Emergency Coordinator	3
Step 1: Draw a Stable Yard Plan	4
Step 2: Record Details of the Stable Yard Complex	5
Step 3: Conduct Evacuation Drill Training	6
Step 4: Emergency Evacuation Considerations – Horses	6
Step 5: Regularly Check Fire Extinguishers	6
Fire and Emergency Evacuation Procedure	7

Purpose

The purpose of the Fire & Emergency Evacuation Procedure is:

- » Fire and hazard prevention;
- » Safe and orderly evacuation of people from the building in an emergency;
- » Early control of the fire or emergency; and
- » Speedy resumption of duties once the emergency is brought under control.

Emergency Coordinator

The Emergency Coordinator is responsible for:

- » Checking that the fire brigade or other emergency services have been notified
- » Ensuring that all visitors & contractors have left the premises in an orderly manner & are accounted for
- » Overseeing evacuation of staff and horses in an orderly manner
- » Act as a liaison officer for emergency services
- » Advising when it is safe to return

Note: The coordinator does not undertake any fire fighting e.g. with extinguishers

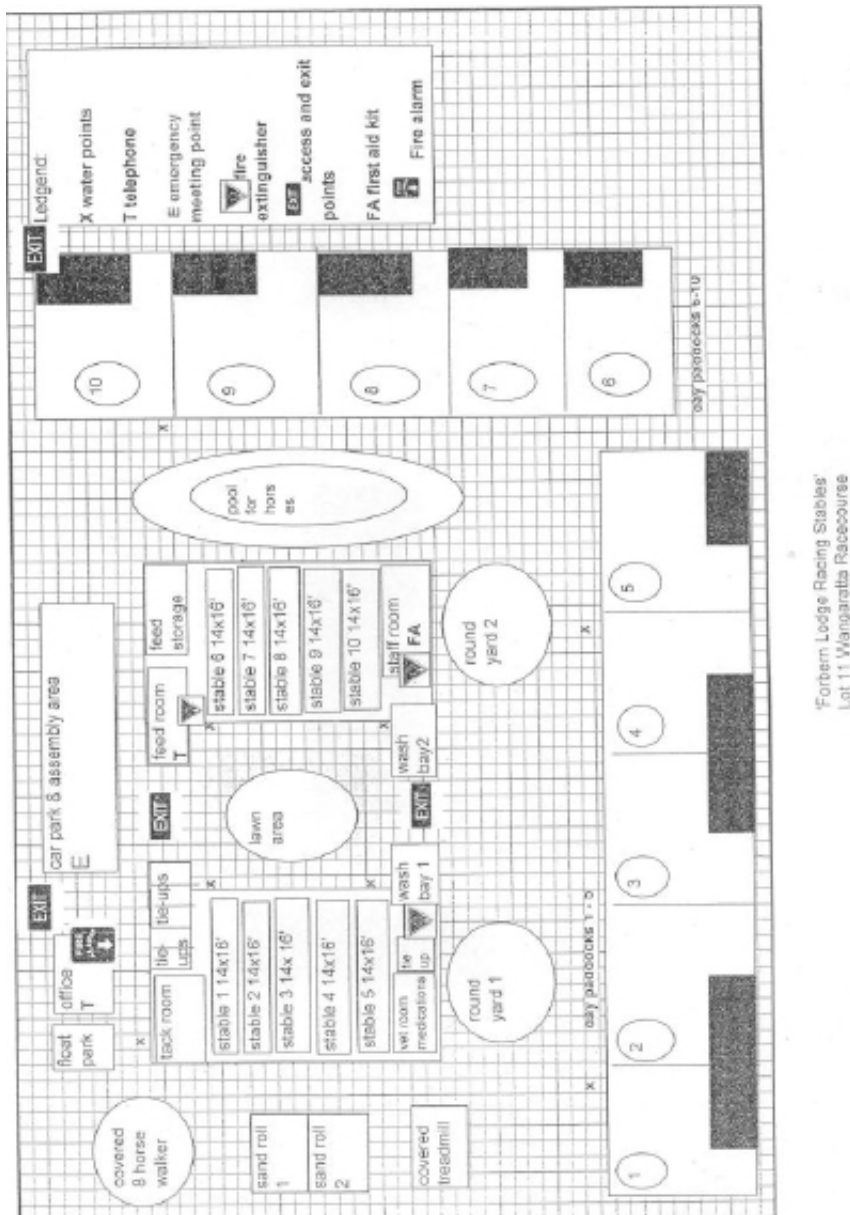
Step 1: Draw a Stable Floor Plan

INSERT STABLE YARD FLOOR PLAN

The diagram will need to include water points, telephone, emergency meeting point, fire extinguisher & fire hose locations, all access and egress points both for the main property and each building. Note location of the First Aid kit, fire alarm location, electrical supply shut of point, hazardous materials location. Note prevailing wind direction, preferred route to and location of, a "safe paddock".

It is recommended to invite emergency services to visit your property for advice, and to familiarise themselves with the layout of the venue and nearest water points.

Sample plan



Step 2: Record Details of Stable Complex

INSERT STABLE NAME full address and grid reference

In keeping with the purpose of housing horses, the establishment maintains a substantial quantity of readily combustible material. This is mainly in the form of fodder bags and bales in the feed store area.

DESCRIBE where the signed **fire assembly area** is located In the event of a fire or other emergency that requires evacuation, staff and visitors who are not involved in combatant tasks, are to assemble in the car park at the main gate. Staff and visitors are to stay at the assembly area unless directed otherwise by the manager, supervisor or emergency services personal.

DESCRIBE where hazardous type substances are stored in the complex.

DESCRIBE where the fire extinguishers and hoses are located

DESCRIBE briefly using dot points, each building as if you had to find your way out of the building and off the site with no visibility due to darkness or thick smoke. The description is brief and includes noting where the exit points are. The buildings that house horses should include a description of exit points suitable for horses and preferred route to a safe place/paddock/loading area.

Copies of the Fire & Emergency Evacuation Procedures are readily accessible to all staff through provision of personal copies and location of plans in the office and tack room.

A plan of the stable complex is clearly displayed outside the stable yard entrance.

Each building has a diagram showing the buildings relationship with the other buildings on the site, exit points and lists, water points, location of emergency equipment, telephone points, emergency assembly area, and first aid kit location.

Some stable yard policies and procedures may have components which support the emergency plan. This may include:

- » Enforcement of a no smoking policy
- » Requirement for all contractors and visitors to sign a register
- » Store feed, hay and bedding in a separate building to the horses

Step 3: Conduct Evacuation Drill Training

Staff are required to be aware of, and are trained in procedures to meet fire and other emergencies, including evacuation procedures. Drills are required to be conducted at least twice a year, and written record of these drills is to be kept in the office copy of these procedures.

Drills need to include scenarios with no lights or no power, including evacuation of horses. Practicing drills will pick up where improvements might need to be made e.g. the location of the emergency paddock (or float or round yard) is too far away from the main stable complex meaning that it takes too long to lead horses between. Another safe area may need to be identified far enough away from radiant heat.

Step 4: Fire & Emergency Considerations - Horses

In addition to the safety of attending staff within the building, horses have a fear of fire and can lose their basic composure when exposed to this element. As a result, the contingency plan is two pronged for the safety and preservation of all life concerned, both human and horse.

- » Human safety comes first
- » Prioritise horses for rescue that can be saved
- » Fitting of a blindfold to a horse is a last resort. It must be loose and fall off easily should the horse get away from the handler
- » All horses loading onto trailers easily.

Record in the plan:

1. Preferred option of opening doors & gates and herding horses to a safe location
2. Location of emergency kit containing at least head collars, torches, leather gloves, bolt cutters and cloth to use as a blind fold.

Note: After rescue practice safe & fast removal of rugs and synthetic halters but watch for anywhere items may have melted into the skin. Hose the horse down thoroughly as cinders can burn under the hair. All horses which have been in a fire and other emergencies will need veterinary examination

Step 5: Regularly Check Fire Extinguishers

Regularly check Fire Extinguishers for their currency status. If at any time an extinguisher is partly or fully discharged, either deliberately or accidentally, it is imperative that the manager is informed immediately; in order that a replacement can be obtained as soon as possible. At no time are fully or partially discharged extinguishers to be returned to their workstations.

Fire & Emergency Evacuation Procedure

1. Call Fire Brigade 000
2. Tell other people in the area, including the stable emergency coordinator
3. Fight fire only if safe to do so, and you have been trained in use of fire extinguishers and other fire suppression methods
4. Commence evacuation to the emergency assembly point

The Horse and Greyhound Training Industry Award 2010 (Award) came into effect on 1 January 2010 although there are some transitional arrangements effective from 1 July 2010. The transitional arrangements relate to the following:

- (a) minimum wage rates;
- (b) casual and part-time loadings;
- (c) Saturday, Sunday and public holiday penalty rates; and
- (d) evening and other penalty rates.

This Award covers employers throughout Australia in the Horse and Greyhound training industry and their Employees in the classifications listed in clause 13 of the Award to the exclusion of any other Modern Award.

Employers must ensure copies of this Award and the NES are available to all Employees to whom they apply either on a noticeboard which is conveniently located at or near the workplace or through electronic means, whichever is more accessible.

Employers must ensure they familiarise themselves with the Award and any subsequent amendments made from time to time as the onus of compliance is on the Employer.

Accessing the Award

A copy of the Award can be obtained from the Fair Work Ombudsman website www.awardfinder.fwo.gov.au. Click on "Modern Award", then select "View all Modern Awards", and click on "Find my award", then click on 6. The code for the Horse and Greyhound Training Industry Award 2010 is MA000008. Then click on "view" to see the Award.

Part C: Summary of the National Employment Standards

From 1 January 2010, Employers and Employees in the national workplace system are covered by the National Employment Standards (NES).

Under the NES, Employees are entitled to certain minimum conditions. The NES include minimum entitlements to leave, public holidays, notice of termination and redundancy pay.

In addition to the NES, an Employee's terms and conditions of employment can come from a Modern Award, Agreement, Pre-Modern Award and State, Territory or Federal laws.

Additional conditions such as pay rates under a Modern Award (many of which also took effect from 1 January 2010) may apply, and together with minimum wage orders the NES makes up the safety net that cannot be altered to the disadvantage of the Employee.

The NES comprise 10 minimum standards of employment which are set out in the Fair Work Act 2009 (Cth). They provide a safety net for all Employees in the national workplace relations system.

In addition, from 1 January 2010, all Employers covered by the national workplace relations system have an obligation to give each new Employee a Fair Work Information Statement before, or as soon as possible after, the Employee commences employment.

All people working in Australia under relevant Commonwealth workplace laws are entitled to general workplace protections. These include workplace rights, the right to engage in industrial activities and the right to be free from unlawful discrimination.

Employers must ensure they familiarise themselves with the Fair Work Act 2009 (Cth), NES and the Award and any subsequent amendments made from time to time as the onus of compliance is on the Employer.

Further information

For more information, please visit the Fair Work Ombudsman website:

www.fairwork.gov.au/employment/national-employment-standards

Part D: Biosecurity Plan Template - Example

The Australian horse industry is a signatory to the Federal Emergency Animal Disease Response Agreement (EADRA). This cost sharing Agreement outlines the responsibilities of government and industry (e.g. horse owners) should a disease outbreak occur.

As part of running a successful business, Employers should establish a biosecurity plan to eliminate, reduce or manage any endemic or exotic disease outbreak. Remember, planning starts in the racing stables.

Examples of a tool kit to help businesses can be found on the Farm Biosecurity website:

www.farmbiosecurity.com.au/toolkit

Click onto Farm Plans/Manuals to download the “Horse Venue Biosecurity Workbook”.

The workbook is ideal to kick start a plan, especially if no plan has existed before. Forms are available for use in the Workbook. To access, click on “Records” then click on “Horse Venue Forms”.

The website contains other resources that businesses will also find valuable.