



Government of **Western Australia**
Department of **Commerce**

A guide for community service providers to assist migrant workers

Understanding safety and health needs in workplaces



This bulletin has been produced to provide guidance for community groups on occupational safety and health in relation to migrant workers. Two other bulletins are available. One targets migrant workers, and the other targets employers.

Employers' duty of care

Employers have a responsibility to provide, as far as practical, a safe workplace. This is called a 'duty of care'. This includes:

- providing and maintaining workplaces, plant and systems of work so they do not expose workers to hazards;
- providing information, instruction, training and supervision so workers can perform their work safely;
- consulting and cooperating with safety and health representatives (if any) and other workers regarding safety and health at the workplace;
- ensuring safe use, cleaning, maintenance, transportation and disposal of substances and plant used in the workplace; and
- providing personal protective equipment at no cost to workers.

Making workplaces safer involves employers and workers working together. Workers also have a 'duty of care' to ensure their own safety, and to ensure that their work does not adversely affect the safety and health of others.

The law in Western Australia requires employers to consider the individual needs of workers in providing a safe workplace. Issues to consider for migrant workers may include:

- language barriers;
- cultural or religious differences;
- literacy difficulties; and
- limited knowledge of local legislation and safety standards.

Employers have an obligation under duty of care responsibilities to adapt safe work practices according to the different needs of their workers. For example, they should consider how to convey information about safety to those with a limited knowledge of English and arrange for any necessary support to be provided by others within the workplace.

Resolving issues

If there are disagreements about the best way to achieve safety at the workplace, workers should always try to resolve these issues with their employer in the first instance. Options include:

- notifying the supervisor and/or employer of any hazards or injuries, or potential hazards or injuries;
- talking with workmates about any concerns they may have and approaching the employer as a group;
- raising issues with safety and health representatives or the safety and health committee (if these are in place); and
- where relevant, requesting training or additional information specific to the safety concern. Such requests can include provision of information in alternative formats, for example, via translated material or use of an interpreter.

Safety and health representatives, and safety and health committees provide a mechanism in the workplace for increased participation and improved consultation between employers and workers about safety and health. If a worker finds that their workplace does not have any representatives, they can request their employer establish them at the workplace. More information on this is available from the WorkSafe website.

Where workers are not able to resolve issues at the workplace, they can:

- contact WorkSafe, via telephone, fax or email; or
- contact a relevant union or employer body.

Contact details of WorkSafe and other relevant organisations are provided in this bulletin.

Government assistance

WorkSafe has powers to enforce occupational safety and health laws that apply to workplaces in Western Australia, except those involving mining and petroleum. WorkCover Western Australia is the State Government agency responsible for workers' compensation.

WorkSafe has an information centre for making occupational safety or health related enquiries or for requesting related information. Callers can request that their complaints remain confidential and details not be given to anyone else.

WorkSafe

Level 5, 1260 Hay Street, West Perth WA 6005

Tel: 1300 307 877

Fax: (08) 9321 8973

Email: safety@commerce.wa.gov.au

Internet: www.worksafe.wa.gov.au

Further Resources

Resources Safety

The Resources Safety division of the Department of Mines and Petroleum is the State Government agency responsible for mining, major hazard facilities and on-shore petroleum.

Level 1 303 Sevenoakes St Cannington WA 6107

Tel: (08) 9358 8002

Fax: (08) 9358 8000

Internet site: www.dmp.wa.gov.au

National Offshore Petroleum Safety Authority

The National Offshore Petroleum Safety Authority is the Federal Government agency responsible for offshore petroleum.

100 St Georges Tce Perth WA 6001

Tel: (08) 6461 7000

Fax: (08) 6461 7037

Email: information@nopsa.gov.au

Internet site: www.nopsa.gov.au

Unions WA

Unions WA is the state's peak union body, representing over 40 affiliated unions, and their members. Unions can provide advice on workers rights and entitlements.

Level 4, 445 Hay Street Perth WA 6000

Tel: (08) 9328 7877

Fax: (08) 9328 8132

Email: unionsyes@unionswa.com.au

Internet site: www.unionswa.com.au

Chamber of Commerce and Industry Western Australia

The Chamber of Commerce and Industry is a private, not for profit business organisation that provides members with access to a range of services, including training courses, business directories, and OSH advice.

180 Hay Street East Perth WA 6004

Tel: (08) 9365 7415

Fax: (08) 9365 7550

Email: osh@cciwa.com

Internet site: www.cciwa.com

Office of Multicultural Interests

The Office of Multicultural Interests can provide information on interpreter and translation services.

Level 2 Dumas House

2 Havelock St West Perth WA 6005

Tel: (08) 9217 1700

Fax: (08) 9217 1555

Email: harmony@omi.wa.gov.au

Internet site: www.omi.wa.gov.au

WorkCover Western Australia

WorkCover WA is the State Government agency responsible for workers' compensation and injury management.

2 Bedbrook Place, Shenton Park WA 6008

Tel: (08) 9388 5555

Fax: (08) 9388 5550

Internet site: www.workcover.wa.gov.au

Department of Commerce WorkSafe Division

Customer Help Centre: 1300 307 877
(for the cost of a local call statewide)

Level 5 Westcentre 1260 Hay Street West Perth Western Australia 6005

Mail: PO Box 294 West Perth Western Australia 6872

Administration: (08) 9327 8777

Facsimile: (08) 9321 8973

National Relay Service: 13 36 77

Website: www.worksafe.wa.gov.au

Email: safety@commerce.wa.gov.au

Regional Offices

Great Southern (09) 9842 8366

Mid-West (08) 9964 5644

North-West (08) 9185 0900

South-West (08) 9722 2888

This publication is available on request in other formats to assist people with special needs.