



AIRPORT

SAFETYWEEK

**TOOLBOX TALK
DUTY OF CARE**

Duty of Care

**Employee
duties**



**Employer
duties**

**In order to provide and maintain a safe place of work for all concerned,
employees and employers have legal duties to carry out.**

Like a coin, the Duty of Care requires two sides in order to be of value.

The Employee's Duties



Safety Glasses



Safety Shoes



Hearing Protection



Harness



Full Face Shield



Gloves

Follow the employer's instructions.

Correctly use the Personal Protective Equipment and clothing provided.

Do not misuse or deliberately damage any safety equipment.

Report all hazards that you are unable to fix yourself.

Report any injury or harm to your health.

Co-operate with the employer.

The Employer's Duties

Report all accidents involving fatal or major injuries to the relevant State Government Safety Inspectorate.

Ensure the safe use of plant and substances in the work place.

To provide and maintain safe workplaces, plant and systems of work.



Provide employees with adequate information, instructions, training and supervision.

Consult and co-operate with elected safety and health representatives.

Provide employees with adequate Personal Protective Equipment.

The Accident

Phil Brown was walking through the warehouse when he noticed several large oil spills on the concrete floor. "Don't tell me the forklift is leaking oil again", he muttered to himself.

Three times this week Phil had cleaned up similar oil spillages and on the last occasion he had even spoken to the forklift operators about checking the forklift before using it.

This time, he decided his routine work was more urgent than the oil spillage but decided that, in order to "cover" himself, he would report the hazard to his supervisor.

He did so and the Supervisor told Phil that he would get one of the forklift operators to clean it up but soon afterwards he got tied up on the telephone and forgot about it.

Betty Boo had spent the morning tidying up some of the storage racks in the warehouse. She had been working inside a forklift man cage because the height of the racks made it unsafe to use a ladder. She had just finished D rack and was about to move 150 metres across the warehouse to G rack.

Since it was such a short distance, she didn't see the point in lowering the man cage, getting out and walking across to the rack.

She told Andrew Smith, the forklift operator, to leave the cage hoisted up and drive carefully over to G rack. As far as John was concerned, operating a forklift with a man cage was the most boring type of work a forklift operator could do. Knowing that this was the last rack that had to be done, he decided to speed things up a little.

He quickly accelerated across towards G rack causing Betty to yell out for him to slow down. He gave her a thumbs up signal and sharply turned the forklift into the aisle near G rack.

As he turned the corner, he noticed something on the floor but was unable to brake quickly because Betty was in the man cage. The forklift began to weave rapidly as it slid across the floor. With difficulty, he brought the forklift to a stop and then he heard Betty scream out in pain. He turned and saw Betty lying on the ground. She had been thrown from the man cage and had broken her right arm and collarbone.

Phil Brown

Phil has failed to ensure the safety and health of another employee by not cleaning up the oil spill.

He tried to pass the responsibility on to the Supervisor.

He identified the hazard but failed to correct the problem immediately.

He left the hazard for others to fix. Just informing the Supervisor about the problem does not meet his Duty of Care responsibility.



The Supervisor



The Supervisor has failed to enforce safety and health procedures.

He failed to take appropriate action after the hazard was reported to him.

He should have arranged for the immediate clean-up of the oil spill.

Andrew Smith



John has failed to ensure his own safety and the safety of others by driving the forklift recklessly and allowing Betty to ride in the man cage.

Meeting your Duty of Care requires you to act and work in a way that does not put your safety and the safety of others at risk.

This means following company operating procedures and safety rules while using tools, mobile equipment, machinery and vehicles.

Betty Boo

Betty failed to ensure her own health and safety by riding in the mancage.

She should have followed company safety rules and procedures.

Not taken shortcuts to save time or effort.

Correctly worn and used the Personal Protective Equipment when required. In this case, she should have worn a safety harness and lifeline.



The Employer



The employer has failed to enforce a safe system of work.

He failed to enforce adequate supervision.

He failed to enforce the correct and safe use of plant and equipment.

The Consequences

If you fail to meet your duties as an employee, you are potentially exposed to a large fine.

If this failure results in the death or serious injury to another person, you are liable for an even greater fine.



If employers fail to meet their duties, they are liable to be fined.
If employees fail to meet their duty of care they are liable to fines of up to \$300,000 depending on local legislation.



AIRPORT

SAFETYWEEK

**THANK YOU
FOR PARTICIPATING**