

# MORGAN

## Human Resource Management

Dear Newsletter Recipients  
Welcome to the latest issue of the MHRM Newsletter.

### Interesting Injury Statistic

One fifth of all workplace injuries relate to slips, trips and falls. I suggest that in many instances this could well be improved by spending time looking at housekeeping issues in the workplace. Do not only think about the fall of a person to the ground or floor but what they may hit on the way down e.g. filing cabinet with those sharp metal edges.

### Incident/Injuries of Non-Employees in the Workplace

It is important that a proactive approach is taken under such an event. The individual should be treated with compassion; this includes offering and obtaining appropriate medical assistance be it 1<sup>st</sup> Aid or doctor etc. There is also the issue of what caused the incident and what can we do to prevent it from happening again.

Consider when there is an incident that employees are aware of the need to obtain details of the person (where possible) and pass them on to appropriate Management for action. It is suggested that where appropriate that follow up is made with the individual to ensure they are recovering satisfactorily. One benefit of caring and keeping in touch with those that have had an incident/injury in the workplace could be the difference between that person attempting to litigate (and all that goes with it) or not, simply because we demonstrated that we cared as individuals and an organisation.

### Failure to Consult (Clause 46 WHS Act)

In what is believed to be a first (and not likely the last) prosecution of its kind where two employers (PCBU's) had the same obligation. In this South Australian case, an apprentice was seriously electrocuted on a building site. A trainee and apprentice company placed the apprentice with a builder. The on site JSA audit was not adequately undertaken and obvious risks not identified therefore not addressed.

The first defendant in this case pleaded guilty (40% discount) and was prosecuted \$12,000- plus other costs. The prosecution could have been as much as \$20,000- for an individual and \$100,000- for a Body Corporate.

This case highlights the need for adequate consultation not only with employees but others e.g. contractors (workers) and employers with appropriate documentation.

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