

**NORTH WEST
RESIDENTIAL SUPPORT SERVICES INC.**

Helping People Create Homes

OCCUPATIONAL HEALTH & SAFETY BOOKLET



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INTRODUCTION

This Occupational Health & Safety Booklet has been developed to provide you with the information you require to work safely. It addresses the general hazards that you might encounter and the safe work procedures required for providing support services in a residential home.

DISCIPLINE PROCEDURE FOR NON COMPLIANCE WITH OH&S PROCEDURES

Working Safely is a Condition of Employment. Failure to comply with the health and safety requirements set out in this booklet, or with any other safety direction will result in disciplinary action. Depending on the offence this could range from a verbal warning through to the termination of employment.

EMPLOYEE INPUT TO THE OCCUPATIONAL HEALTH & SAFETY EFFORT

You may have ideas as to how your job or the jobs of your fellow employees can be made safer. We welcome your involvement and suggestions. Please discuss them with your Supervisor as something occurs to you or bring it up at fortnightly staff meetings. Creating a safer working environment has benefits for all of us:

- Less human suffering and impact on our families (this can apply to employees and residents).
- Compliance with the law.
- Lower costs for North West Residential Support Services, which allows us to continue providing support to our clients and employment for our staff.

DRUGS AND ALCOHOL



DO NOT come to work under the influence of alcohol or drugs. You create a danger to yourself, the residents and your fellow employees. If you are taking medication that is making you feel drowsy please talk to your Supervisor about it so it can be determined which duties you can safely perform whilst taking medication.

Tobacco Smoking



Non-smokers should be able to work in a smoke-free environment. Where the requirements of smokers come into conflict with non-smokers, the rights of non-smokers shall prevail. Smoking is not permitted:

- inside homes.
- in enclosed areas such as in work vehicles.
- when a non-smoker asks that a smoker not smoke near them.
- any area designated as non-smoking.
- in front of residents.

If you must smoke whilst at work please do so outside in the designated area and limit smoking time to your scheduled breaks.

This smoking policy does not apply to residents. A management plan will be developed for each individual resident who smokes.

NORTH WEST RESIDENTIAL SUPPORT SERVICES

OCCUPATIONAL HEALTH & SAFETY POLICY

North West Residential Support Services believes that all employees have the right to work, as far, as is practicable, safely and without risk. Our policy is built on the following beliefs:

As Employers, North West Residential Support Services is **accountable** for Safety. This means providing, as far as practicable, a safe work environment, safe systems of work, and equipment in safe condition. Supervision, training and information will be provided to assist the health and safety of each employee.

The objectives of providing a “real home” for residents and a “safe workplace” for employees are compatible and achievable.

Everyone is personally **responsible** for working safely and preventing injuries. **Working safely is a condition of employment.**

Key Responsibilities of Management & Supervisors

- Match individual resident’s needs with a suitable home, appropriate equipment and a level of training for employees that minimises the risk of injury/illness to both employees and residents.
- Ensure employees have the appropriate training, supervision and qualifications to work safely.
- Investigate all work-related incidents and keep information and records relating to work-related injuries. Take action to correct any identified hazards or safety issues.
- Consult with employees on matters relating to health and safety. Where required this consultation shall include residents and their families.
- Liaise with Housing Tasmania and Disability Services where their input or influence has relevance to employee and resident health and safety.
- Provide appropriate personal protective equipment.

Key Responsibilities of Employees

- Be familiar with the Client Profiles for the residents they provide support for, and in particular, follow the individual plans developed for the health and safety of both employees and residents.
- Care for and maintain equipment such as electrical leads, vacuum cleaners, clothes dryers’ etc. in safe working order, and operate all equipment safely.
- Work to the safety standards required of any qualification or other training.
- Report all hazards and work-related injuries and incidents promptly
- Wear personal protective equipment as required and in particular for infection control.
- Consult with North West Residential Support Services on matters relating to health and safety and obey any health and safety directive.

REPORTING HAZARDS

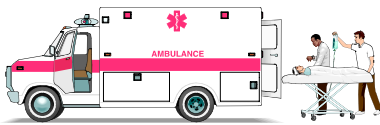
A hazard is any unsafe **condition** or **act** that can, if left unfixed, result in death, injury or property damage. An example of an unsafe condition would be a wet and slippery floor. An example of an unsafe act would be someone trying to lift and pour from a 25 litre cleaning chemical container.

If you are able to fix the hazard yourself then do so. If you are unable to fix the hazard then note it in the Home Communication Diary. This will make other employees aware of it and will provide a record for actioning at the next meeting. Should you think the hazard poses an immediate and significant threat then contact your Supervisor and if they are unavailable speak with the Manager.

Under the Tasmanian Workplace Health & Safety Act workers have a “Duty of Care” not only to themselves but also to other workers. If you see a fellow employee working unsafely, do something about it. Speak to them about it, reminding them how the job should be done safely. Doing nothing may result in them or someone else being seriously hurt.

REPORTING AND INVESTIGATING INJURIES & INCIDENTS

If you require first aid treatment then obtain treatment from the first aid kit kept in the home. If the injury is more serious then speak to your Supervisor and they will assist you in getting medical treatment. Where possible **DO NOT** drive yourself to the hospital or doctor, **DO** have someone else drive you.



If the situation is an emergency that you believe requires the ambulance service then dial 000 on the home phone (note if you are away from the home you can dial 000 on a mobile phone. If the mobile phone is “locked” and you don’t know the code to unlock it then dial 112). On speaking with the emergency services give them:

- The Service you want to be connected to – that is, Tasmanian Ambulance Service. On being connected to them give them:
- Your name.
- How many people are injured and the type of injuries you suspect.
- Your location. Be as specific as you can. Give the street number, street name, area and the closest intersection.
- The number of the phone you are using.

Employees are required to report:

- **ALL INJURIES**
- **ALL PROPERTY DAMAGE**
- **ALL “NEAR HITS”**

ALL injuries and “near hit” incidents **MUST** be reported, even relatively minor injuries. There are three reasons for this. Firstly the law requires it. Secondly, what starts out as a minor injury could develop into something more serious (e.g. a wound develops an infection). Reporting the injury when it first happens will make it easier to process any worker’s compensation claim. Thirdly, sometimes a minor injury or a “near hit” can be a warning signal of a more serious problem. A half-second could be the difference between a serious injury and a “near hit”.

For first aid injuries, record details in the Home Communication Diary. In it please enter (or ask the person who is treating you to enter) - the date, your name, the part of the body treated (e.g. hand), the type of injury (e.g. cut), what caused the injury, and the treatment given (e.g. wound cleaned and a band-aid applied).

More serious injuries (those requiring treatment by a Doctor or Hospital) and “near hit” incidents which could have resulted in injury are recorded on an "Incident & Investigation Report". Your Supervisor will assist you in completing this form.

The purpose of reporting and investigating injuries and incidents is to identify what caused the problem and put something in place to PREVENT them happening again.

FIRE EMERGENCY PROCEDURES



In the event of a fire follow the **FIRE** response (**F**ight, **I**nform, **R**eturn, **E**vacuate).

1) Fight	If the fire is small and it is safe to do so, attempt to fight the fire. If the fire is too big to fight safely go to the next step. DO NOT use the fire hose to attempt to put out electrical fires. DO use the dry chemical fire extinguishers for fat or oil fires in the kitchen. DO use the fire blanket to smother the fire.
2) Inform	Phone the fire brigade on 000.
3) Return	If safe to do so and the fire was not put out in the first instance, return to the area and attempt to contain the fire if possible.
4) Evacuate	If the fire has not been contained, evacuate the home in an orderly manner and go to the assembly point.

Vital Tips for Evacuation in the Event of a Fire - In the event that an evacuation is required follow these points.

- Go to the nearest exit.
- If you have to pass through smoke, hold a towel or handkerchief, wet if possible, to your face.
- Smoke rises so get down low and move quickly.
- Close windows and doors as you go. This helps confine the smoke to the original area.
- Alert your fellow employee who may not be aware that the fire or smoke is coming their way. Provide assistance to the residents.
- Go to the assembly area designated for your home. There is a notice on the wall by the home phone telling you where this area is.
- **DO NOT** attempt to re enter the home until advised to do so by your Supervisor.
- **DO** supervise the residents at the assembly point.
- **DO NOT** just decide to go home, we do not want people risking their lives by thinking you are back in the house and going back in to find you.
- As soon as you have seen to everyone’s safety **DO** phone your Supervisor and the Manager. You will have to use a mobile phone or ask a neighbour if you can use their phone.

MANUAL HANDLING & MANUAL ASSISTANCE



Manual handling refers to any activity requiring people to lift, lower, carry, push, pull or restrain any object. Many tasks at North West Residential Support Services involve manual handling. Some examples of manual handling activity are making beds, mopping floors, vacuuming, carrying groceries and so on. **When the manual handling involves assisting residents we prefer to use the term “manual assistance” rather than “manual handling”.** “Assistance” is used in the belief that this has less threatening and more caring associations with it. Some examples of manual assistance tasks are showering, toileting, and moving a resident in and out of a wheelchair. **Risk factors that can increase the risk of manual handling injury are:**

- Postures involving flexion (bending), side flexion and rotation of the spine (twisting) in sitting, lying and standing positions.
- Lifting weights while assuming these postures.
- Repetitive work while assuming these postures.
- Lifting weights that are too heavy and/ or of an awkward shape.
- Lack of fitness and/ or poor health.
- Poor communication between lifters when doing team lifting.

Objects do not have to be excessively heavy to present a risk of a manual handling injury.

- X In seated work it is advisable not to lift loads in excess of 4.5 kg.
- X From the standing position it is advisable to keep loads below 16-20 kg.
- X As weight increases from 16 - 55 kg the percentage of healthy adults who can safely manually handle decreases. Mechanical assistance or team lifting techniques should be adopted for these weights.
- X No one should manually handle loads exceeding 55 kg. Mechanical assistance or team lifting techniques should be adopted.

REDUCING THE RISK OF MANUAL HANDLING INJURY

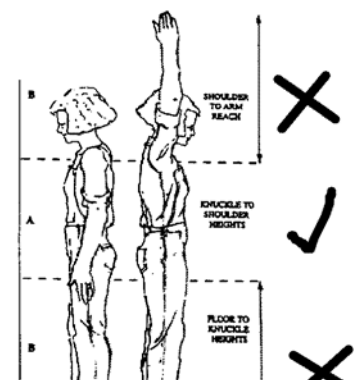
Look for ways to reduce the manual handling effort required. For example:

DO use mechanical equipment (e.g. hoists) to do the lifting or moving.

DO NOT carry too many items at once. Break larger loads down into smaller, lighter loads.

DO park the vehicle as close to the house door as possible when unloading groceries.

DO try to work in the “safe zone” between mid thigh and shoulder height. For example if you are unpacking a bag of groceries place it on a table or bench so that it is at waist height and inside the



“safety zone”. If you place the bag on the ground it is below your knees and outside the “safety zone” You will need to bend to reach it and if you incorrectly bend your back rather than correctly bend your knees then there is increased risk of an injury occurring. **DO NOT** lift above shoulder height as this is outside the “safety zone.”

If having to work at height **DO** use a stepladder or commercial step. **DO NOT** stand on chairs or boxes.

DO NOT climb on shelves.

If you do have to lift then **DO**, whenever possible, follow the correct technique as set out on the next page.

25 litre containers of cleaning chemicals or washing powder

25 litre containers can be a manual handling risk to some employees. Individual homes can choose to purchase 25 litre containers under the following conditions.

- No employee should feel pressured to buy large containers to save money for the clients. If employees find it a strain handling large containers then they should not buy them.
- There must be a storage facility that allows the containers to be stored between mid thigh and shoulder height.
- For containers of liquid decanting taps must be fitted. For solids (e.g. washing powder) a scoop must be used.



Vacuuming and Mopping

When vacuuming or mopping **DO NOT** over reach, **DO** move your feet.

When vacuuming under beds **DO** get down on one knee rather than bend. **DO** place your spare hand on the bed for improved balance.

Bed Making

DO encourage residents to have the sides of their beds positioned away from a wall so you can access both sides.

While leaning over the bed **DO** retain a straight back (see note “f” under lifting below).

MANUAL HANDLING - LIFTING

When facing a LIFTING task adopt the following techniques:

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| <ul style="list-style-type: none"> a) Plan the lift by estimating the load and knowing exactly where it is to be placed. b) Ensure that access to the area is clear. c) Stand with your feet apart. d) Get as close as possible to the object you wish to lift. e) Bend your knees; DO NOT bend your back. f) Keep your back straight and if possible maintain a lordosis (i.e. a hollow rather than a rounded back). g) Brace your stomach muscles to support your spine when you move or lift objects (to understand what this means place your hand on your stomach and blow air hard through the teeth to make a hissing noise). h) Change direction by using the muscles and joints of your legs rather than twisting and bending your spine. DO NOT twist. i) Overall physical fitness, warm-up activities, and a gradual build up to a higher work level help you to avoid strain injuries. |
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MANUAL HANDLING – TEAM LIFTING OR MOVING

There will be occasions when more than one person is required to safely move an object. This is known as team lifting or moving.
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| <ul style="list-style-type: none"> a) Plan the lift by estimating the load and knowing exactly where it is to be placed. b) Ensure that access to the area is clear. c) Have one person assume control to direct the lift/ move by giving verbal instructions when to “move” and “lower”. d) Ensure everyone involved has a common understanding of when to exert effort – e.g. Do they move the object after the command “1,2,3 – move” is completed or after command “1,2,3” and then put in the effort on the word “move”? e) No individual is to drop their part of the load when others are not expecting this to happen and are not ready to take on the increased load. If you feel the load slipping let the person in charge of the lift know so they can control the load to be lowered by the team. |
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Manual Assistance to Residents

In developing client profiles North West Residential Support Services will, with the assistance of Disability Services, determine whether a client will require manual assistance with daily activities. If the assessment does indicate a resident will require manual assistance then a “Manual Handling Care Plan” will be written for that resident. This plan will indicate the facilities and equipment required for the resident plus the specific manual assistance techniques the support worker should use for particular activities. Each support worker at that home will receive training in how to use equipment and the correct manual assistance techniques.

The Manual Assistance Care Plan is kept in the Resident’s Personal File. **DO** use the equipment and techniques listed in the plan. They have been determined as the most appropriate for both employee and resident safety so **DO NOT** change them of your own accord. If you notice a change in a resident’s abilities (whether an improvement or deterioration) which you believe requires a different manual assistance approach then **DO** speak with your Supervisor and they will arrange another assessment.

If there is a change in your own physical condition which means you are having difficulty providing manual assistance then **DO** speak with your Supervisor. They can then consider options such as alternative techniques and equipment or reallocation to other residents.

There are several “traditional” lifts, which are now recognised in the care industry as being potentially unsafe. The following techniques are **NOT** permitted unless there is an emergency situation such as the need to evacuate residents from the home.

- Shoulder lift.
- Cradle Lift.
- Top-and-tail lift.
- Lifting a resident up from the floor on one’s own.

Warm Up & Stretching Exercises

Going for a walk and performing stretching exercises before you commence work and at regular intervals throughout the day can help safeguard your body against discomfort and injury.

When performed correctly, stretching exercises:

- Relieve muscle tension.
- Increase circulation.
- Restore muscle balance.
- Reduce muscle fatigue.
- Improve relaxation.

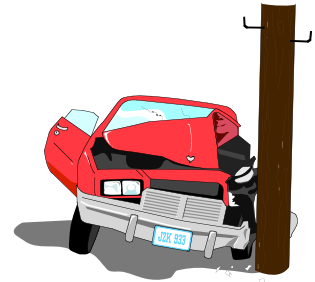
To improve flexibility this should be done prior to commencing work at the beginning of the day or after a rest break. A particularly good time is prior to providing manual assistance to a resident. To ease muscle tension, exercises should be done after being in the one position for extended periods. Appendix 1 contains some exercises that can be done.

Warning: If you have suffered any injury or illness that may be aggravated by stretching exercises then seek advice from your treating practitioner prior to commencing stretching exercises.

ORGANISATION VEHICLES

At all times employees are expected to follow the rules of the road as set out in the Traffic Act and Regulations.

DO ensure all items are adequately secured so they will not be dislodged in the event you have to brake suddenly or are involved in an accident. In station wagons, unless there is a cargo barrier fitted, **DO NOT** stack items above the top of the back seat.



DO NOT use a mobile phone unless a hands free facility is available. **DO NOT** drive with the phone held to your ear. **DO** switch mobile phones off when refuelling at a service station. If you have to make notes during a phone call then **DO** pull over to the side of the road.

ELECTRICAL SAFETY

DO regularly inspect both equipment and electrical leads to make sure they are not damaged. **DO NOT** use equipment if it is damaged.



DO NOT tamper with wires or conduct your own repairs, unless you are a qualified electrician.

DO keep electrical leads away from water. **DO** be particularly careful with equipment such as hair dryers and electric shavers when used in the bathroom.

DO keep electrical leads tucked out of the way when not in use to reduce trip hazards.

When unplugging any equipment **DO** turn off the equipment switch first and **DO** turn off at the power point before pulling out the plug.

DO NOT disconnect equipment by pulling on the lead from a distance. **DO** turn off the power point and grab the plug to pull.

DO NOT plug equipment into a general power outlet while the power switch on the outlet is on, **DO** turn off the power first.

DO NOT leave an appliance turned on when not in use.

DO NOT have leads running across doorways. **DO** use another general-purpose outlet.

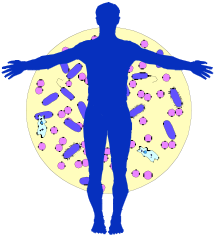
WET FLOORS

Floor mopping occurs daily in homes. Wet floors are very slippery.

DO clean up spills immediately.

When possible **DO** plan to mop floors during the day when there are fewer people in the house.

With some residents requiring assistance with showering, bathroom floors can be very wet.

<p>INFECTION CONTROL</p> <p>Standard Precautions</p> <p>These precautions advise employees of the standard safety precautions that are to be used when handling specimens that contain blood/body fluids. Standard precautions embody the principle that all blood and body fluids are potentially infectious. Employees must adhere rigorously to measures, which minimise exposure to these agents.</p>	
<p>Hazards</p> <p>Blood-borne pathogens may be transmitted directly by contamination of non-intact skin or mucous membranes (e.g. splashing, or touching eye with contaminated hands).</p>	
<p>Operation</p>	<p>Safety Checks - Safety is YOUR responsibility</p>
<p>Handwashing</p>	<p>DO pay attention to hand washing as an essential safety precaution. Thorough use of moisturising hand cream is also recommended to prevent the skin from drying out and cracking.</p> <p>DO wash hands:</p> <ol style="list-style-type: none"> i. immediately they are contaminated with blood or bodily fluids; ii. before eating, drinking, smoking, or leaving the workplace; iii. after using toilet facilities; iv. at the completion of work. <p><u>How to Wash Your Hands in an Infection Control Situation</u></p> <ol style="list-style-type: none"> i. Use soap and warm running water. ii. Rub hands vigorously as you wash them – counting to ten. iii. Wash hands all over, including <ul style="list-style-type: none"> - back of hands - wrists - between fingers - under fingernails. iv. Rinse your hands well, counting to ten. v. Turn off tap with a single use towel. vi. Discard the towel in the bin. vii. Press dry your hands with a single use disposable towel. viii. Discard the towel in the bin.
<p>Protective Clothing</p>	<p>DO use protective clothing as a barrier to exposure. For example if rinsing soiled linen or sluicing pans.</p>
<p>Gloves</p>	<p>All staff – DO wear gloves when direct contact with blood or bodily fluids is expected. Gloves should be well fitting, disposable, and readily available.</p>
<p>Eye Protection</p>	<p>DO wear safety goggles and/or a face shield where there is a risk of blood or bodily fluids being splashed in the eyes. For example if rinsing soiled linen or sluicing pans.</p>

Operation	Safety Checks - Safety is YOUR responsibility
<p>Bandaging</p> <p>Spills</p> <p>Blood</p> <p>Immunisation of Employees</p>	<p>DO cover all skin defects (e.g. cuts or abrasions) with a waterproof dressing.</p> <p>DO wear gloves.</p> <p>DO soak up the blood or bodily fluid with an absorbent cloth. Using a detergent to clean the spill thoroughly.</p> <p>DO wipe the spill site with disposable towels soaked in disinfectant solution.</p> <p>Dispose of all contaminated waste material (e.g. blood, blood products, bodily fluids, absorbent cloth, disposable towels) in a leak proof bag.</p> <p>DO place the leak proof bag in the outside rubbish receptacles.</p> <p>DO soak fabrics stained with blood in cold water. Ensure:</p> <ol style="list-style-type: none"> i. the directions for using bleach are followed. ii. the container is especially designated for bleaching or soaking. iii. the garment is rinsed and washed in cold water. iv. this procedure is to be completed prior to the end of the shift. <p>All employees are offered the opportunity for vaccinations.</p>

LAUNDRY



DO use the trolley when hanging out the washing. Even if the load is a light one placing the wash basket in the trolley puts it in the manual handling “safe zone”.

DO NOT carry soiled linen or clothes against you and your clothing.

DO NOT sort used linen/clothes on the same work area as that used for folding clean linen. Use another area of the home such as the lounge room for folding clean linen.

DO rinse and soak soiled linen in bleach solution.

DO remove lint from the dryer each day the dryer is used.

NORTH WEST RESIDENTIAL SUPPORT SERVICES

OCCUPATIONAL REHABILITATION POLICY

It is the intention of **North West Residential Support Services** to provide a Safe Working Environment for Employees and to encourage all employees who sustain a work related injury, illness or disability to return to work through the process of Occupational Rehabilitation.

The aim of this policy is to assist employees to return to their pre-accident position as early as possible or alternatively access the services of approved rehabilitation providers. **North West Residential Support Services makes the following commitment in regard to Occupational Rehabilitation:**

- to establish a systematic approach to occupational rehabilitation services for all employees.
- to ensure that the occupational rehabilitation process is commenced as soon as possible after an injury or illness, in a manner consistent with medical judgement. When an employee will be off work for at least 14 days then a Return to Work Plan will be developed within 5 days after that 14-day limit.
- to develop and encourage the expectation that it is normal practice following work-related injury, illness or disability for people to return to meaningful, productive employment at the earliest possible time.
- to provide, whenever practicable suitable duties/ employment for an injured employee as an integral part of the rehabilitation process. This may involve working at another home.
- to appoint the General Manager as Rehabilitation Co-ordinator to oversee the workplace-based rehabilitation program and liaise with all interested parties – the injured person, the insurer, medical practitioner, rehabilitation provider.
- to consult with the injured employee to ensure that our rehabilitation program operates effectively.
- to ensure that participation in a rehabilitation program will not, of itself, prejudice an injured employee.
- any employee undergoing rehabilitation is expected to participate fully and co-operatively.

MANUAL HANDLING

Working Warm-Up

Going for a walk and performing stretching exercises before you commence work and at regular intervals throughout the day can help safeguard your body against discomfort and injury.

When performed correctly, stretching exercises:

- ◆ relieve muscle tension
- ◆ increase circulation
- ◆ restore muscle balance
- ◆ reduce muscle fatigue
- ◆ improve relaxation.

WHEN PERFORMING STRETCHES.....

- ◆ Stretch gently and smoothly.
- ◆ Stretch to the point where the muscle feels tight, but no pain is experienced.
- ◆ Aim to hold each stretch for 30 seconds.
- ◆ If pain is experienced, reduce the amount of stretch and/or the length of time the stretch is held.
- ◆ If continuing pain is experienced, cease stretches and consult your doctor.

Those that have suffered an injury or illness that may be aggravated by stretching exercises should seek advice from their treating practitioner prior to commencing the following stretches.

Before commencing work, go for a walk - let your arms swing gently as you walk.

STRETCHES

Before commencing the following exercises gently swing your arms by your side and from side to side across your body.

1. Shoulder Rolls

- ◆ Relax your arms by the sides of your body.
- ◆ Slowly and gently roll your shoulders in a circular movement backwards, starting with very small circles.
- ◆ Repeat several times.



2. Chin Tuck

- ◆ Hold your head in a neutral position (i.e. without any forward or sideways tilt).
- ◆ Gently tuck your chin in to make a double chin. Do not bend your head forwards.
- ◆ Hold for 5 to 30 seconds.
- ◆ Gently release hold and return to the starting position.



3. Shoulder/Arm Stretch - Backwards

- ◆ Hold your arms in a relaxed position by your side.
- ◆ Turn your hands away from your body until your palms are facing forwards.
- ◆ Gently stretch arms backwards (keeping palms facing forwards).
- ◆ Hold for 5 to 30 seconds.
- ◆ Gently release hold and return to the starting position.

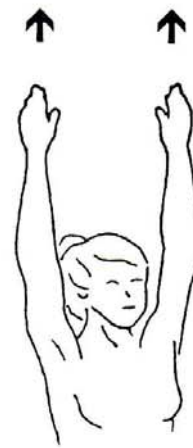


Make sure that you are not arching your back.

4. Upper Trunk Stretch

- ◆ Straighten your arms out in front of your body.
- ◆ Gently raise hands until fingers are pointing to the ceiling.
- ◆ Stretch arms and upper body up towards ceiling.
- ◆ Hold for 5 to 30 seconds.
- ◆ Gently release hold and return to the starting position.

Make sure that you are not arching your back.



5. Lower Back Stretch - Leg Tuck

- ◆ Stand with your feet slightly apart.
- ◆ Lift one leg towards your chest.
- ◆ If you are free from knee pain or injury, clasp hands gently over or under knee and slowly pull leg tightly to your chest.
- ◆ Hold for 5 to 30 seconds.
- ◆ Gently release hold and return to the starting position.



6. Lower Back Reliever

- ◆ Stand with your feet slightly apart.
- ◆ Place your palms over the small of your lower back/upper buttocks region.
- ◆ Gently lean your trunk backwards, keeping your knees straight and your head facing forwards.
- ◆ Hold for 5 to 30 seconds.
- ◆ Gently release hold and return to the starting position.



WORKERS REHABILITATION AND COMPENSATION ACT 1988

Summary To Be Provided To Employees

The Workers Rehabilitation and Compensation Act 1988 provides for the rehabilitation and compensation of Tasmanian workers in respect of occupational injuries and diseases suffered by Workers.

Entitlement to Compensation

A worker is entitled to claim compensation if he suffers an injury or disease, which arises out of and in the course of his employment and in the case of diseases, to which his employment has contributed to a substantial degree.

Injuries occurring whilst the worker is travelling to or from work, on a meal / rest break and away from the workplace or during a social or sporting activity away from the workplace are not generally compensable unless undertaken at the request or direction, or with the authority of the employer.

Notice of Injury

Notice of the injury should be given to the employer as soon as practicable after the injury happens and before the worker has voluntarily left the employment in which he/she was at the time of the injury.

The notice may be given orally or in writing to the employer, or any person designated for the purpose by the employer, or any person under whose supervision the worker is employed. If there is more than one employer, the notice may be given to any one of these employers.

The notice shall include the name and address of the person injured the nature of the injury, the date on which it occurred and the cause of the injury.

Claim for Compensation

A claim for compensation shall be made on a claim form approved by Workplace Safety Tasmania and be accompanied by an approved medical certificate from an accredited medical practitioner.

The claim may be personally given to the employer or a person designated by the employer for that purpose. If there is more than one employer, the claim can be given to one of the employers.

A claim may be posted to the employer, or one of the employers at the employer's usual or last-known place of business or residence in a properly addressed envelope.

A claim should be made within six months of the date of the injury or in the case of death, within six months of the date of death. In the latter case, the claim may be lodged by the legal personal representatives or by the dependent of the deceased worker.

Failure to make a claim within six months is not a bar to the recovery of compensation if the failure was occasioned by mistake, absence from the State or other reasonable cause. There are substantial penalties for the making of fraudulent claims.

Disputed Claims

Any dispute relating to a claim for compensation may be referred to the Workers Rehabilitation and Compensation Tribunal for determination. In the first instance, advice may be sought from the Information Officer, Workers Rehabilitation and Compensation on (002) 33 2015. A Tribunal Registrar may attempt to resolve the matter by consultation or conciliation between the parties.

Weekly Payments

Weekly payments of compensation must commence, if it is reasonably practicable, on the first pay after receipt of a claim for compensation was received by the employer, or, in any other case, not later than 14 days after receipt of the claim.

A worker who is entitled to compensation as a result of an injury should receive weekly payments equal to the normal weekly earnings (NWE) averaged over the twelve months preceding the date of incapacity or his ordinary time weekly rate of pay in the employment in which he was engaged immediately prior to the commencement of incapacity - whichever is greater. Note that the calculation of NWE generally will include only overtime paid on a regular and uniform basis. Weekly compensation benefits will step down to 95% after the first six weeks and to 90% after 25 weeks.

The Act provides for the payment of all reasonable and necessary medical expenses incurred by a worker as a result of injury. Lump sum payments are prescribed for certain categories of permanent partial disability.

Rehabilitation

The Act imposes a responsibility on injured workers to undertake or participate in rehabilitation programs or suitable duties provided for them. An employer is obliged to hold open a position for 12 months following an injury except where the job no longer exists or it is not reasonably practicable to do so. In addition, employers are now required to provide suitable alternative duties for 12 months following incapacity unless it can be shown not to be reasonably practicable.

An employer is required to prepare a return to work plan for any worker who is incapacitated for more than 14 days. This plan is prepared in consultation with the injured worker and sets out steps proposed to assist the return to work.

Employers with more than 20 staff must develop a rehabilitation policy and display this in the workplace.

Worker's Right to Information

The worker is entitled to obtain details of an employer's insurer and workers' compensation insurance policy. It should be noted that the employer is normally not able to insure for the first five days of any claim and must for that period bear the full costs associated with any claim for compensation.

Further Information

A worker may contact the Information Officer, Workers Compensation on 002 - 332015 or 008 815 096 (if outside the 002 Area).

This document satisfies the requirements of section 152 of the Act.

EMPLOYEE SUPPORT SERVICE

North West Residential Support Services provides employees with access to a private and confidential, professional counselling service.

A pamphlet can be found with contact details in the Employment Package.

The service can be used in the following way:

1. An employee can make direct contact with the service and receive one private and confidential consultation.
2. If the employee and counsellor agree on the need for another or subsequent sessions the General Manager will need to be informed by the employee, counsellor or both.