

Information sheet

At a glance

Employees have a responsibility – a duty of care – to take all reasonably practicable steps to minimise any risk to the health or safety of themselves and others within the workplace.

Employers must obey laws to provide a safe work environment and care for the employee's health and safety. These laws are called "Acts" and "Regulations", and can be different in each state.

To help with this, the workplace has policies and procedures in place to make sure the business and its workers are safe. You must respect these.

Employee rights

- Feel safe & have a safe working environment
- Have clean facilities
- Not be expected to perform any duties that are dangerous, or you consider unsafe
- Not have to provide any personal information unless it is required by law
- Be able to discuss any work-related issues with your employer or supervisor
- A right to be consulted in workplace decisions regarding your health and safety
- A right to be represented on any health and safety issues in the workplace
- Receive adequate training for the job you are doing
- Be provided with appropriate PPE
- Work the hours negotiated and have regular days of leave, as negotiated in your contract
- Be paid the correct wage and on time as negotiated in your contract
- Be entitled to any workplace superannuation, compensation, rehabilitation, return to work programs

Policies and procedures

Policies and procedures are workplace guidelines employees must abide by, developed by a business using state and federal laws. They are used to assist the day-to-day operation of the business. From time to time they are reviewed to ensure they are useful and effective. All employers should have procedures for identifying and managing risks in the workplace.

Employee responsibilities

- Take reasonable care for your health and safety in the workplace
- Take reasonable care for the health and safety of others who may be affected by what you do/don't do
- Don't act in a dangerous or unsafe manner
- Co-operate with your employer about any action they take to comply with the OHS Act or regulations (e.g., use equipment properly, follow safe work policies and procedures and attend training)
- Don't intentionally or recklessly interfere with, or misuse, anything at the workplace used to support health, safety and welfare
- Pay attention to any training you receive, including your workplace induction training
- Ask for training when completing a new task or using/operating new tools or machinery
- If you can't do a job safely, ask for help
- Always follow the health and safety procedures in your workplace
- Use all safety equipment and PPE provided
- Report all hazards, near misses and injuries (no matter how small) to your supervisor
- Report any machinery or equipment issues or faults
- Report any strange activity in the workplace (leaking chemicals, gas smells, etc.)
- Report any pests or diseases you notice
- Work the hours negotiated and have regular days of leave, as negotiated in your contract
- Pay the required income tax as directed by Australian taxation laws



Information sheet

Who is an employee?

- You are an employee if you have a contract of employment or contract of training
- Independent contractors may be employees
- Volunteers are not employees

Who is a labour hire worker?

- Labour hire workers are workers generally employed and paid by labour hire providers and supplied to host businesses, farms or organisations on a full-time, part-time or casual basis. Find out more:

Vic.: Victorian Labour Hire Authority:

labourhireauthority.vic.gov.au/worker/

Qld: Labour Hire Licensing Queensland:

labourhire.qld.gov.au/i-am-a-worker

Are workers participating in the PALM scheme protected by the same workplace rights and laws as Australian workers?

Provisions are in place to ensure that workers have the same protections as Australian workers. There are a range of resources available to help workers adjust to life in their new communities including:

- accommodation and appropriate living arrangements
- personal finance, superannuation, insurance and banking services
- tax returns
- sending money home
- essential items (SIM cards, phones, clothing, etc.)
- acquiring an Australian driver's licence
- the role of the Fair Work Ombudsman
- workplace rights and entitlements
- health and medical contacts
- education and training opportunities
- contacts for any diaspora in the community where they will live and work

Find out more: palmscheme.gov.au/worker-support

communityconnections@salvationarmy.org.au

welfare@pacificlabourfacility.com.au, ph 1800 515 131

seasonalworker@dese.gov.au, ph 02 6240 5234

Do I have to have a COVID vaccination?

- In Victoria, vaccination is mandatory for all authorised providers and authorised workers (APAW) who are not working from home
- All workers in Victoria on the Authorised Worker list who cannot work at home are required to have had their first COVID-19 vaccine dose by Friday 15 October 2021, and two doses or a valid medical exemption by 26 November 2021
- Workers who must be vaccinated include: farm, animal and bloodstock leasing activities; farming activities and other operations relating to agriculture, horticulture, viticulture, irrigation, permaculture, apiculture, grains, fibre production, dairy, flower industry, commercial fishing, aquaculture and livestock; or intensive agricultural production including; greenhouses and animal production. Find out more: coronavirus.vic.gov.au/authorised-provider-and-authorised-worker-list

Can your employer collect your COVID vaccination information?

- Your employer can only require you to provide vaccination status in particular circumstances
- If your employer intends to collect and record your vaccination status, they must make sure it is permitted under Australian Privacy Principle (APP) 3
- Information about your vaccination status is sensitive information under the Privacy Act. Your employer should seek your consent in order to collect your vaccination status information, and the collection of this information must be reasonably necessary for one or more of your employer's functions or activities, unless an exception applies
- Consent must be freely given. Your employer cannot pressure or intimidate you to provide information about your vaccination status
- Your employer should provide you with adequate information about what information will be collected, why it is required and what it will be used for, prior to you giving consent
- Your employer should also tell you whether the information will be disclosed to any third parties

Information sheet

Your workplace should have...



QR code check-in

Sign-in for anyone onsite – when starting work daily or entering a specific area



First aid station

An easily found first aid station in all work areas



Eating area

Clean eating space in the packing shed or field



Hygiene facilities

Clean hygiene facilities near all work areas



Emergency showers

Emergency showers where chemicals are used



Non-smoking areas

Some workplaces may not allow smoking



Appropriate personal protective equipment (PPE) should be supplied and must be worn. Workers are responsible for keeping it in good condition

Related links

Taxation & superannuation information

Australian Taxation Office: ato.gov.au/

Workplace health and safety regulator:

New South Wales: safework.nsw.gov.au

Victoria: worksafe.vic.gov.au

Queensland: worksafe.qld.gov.au

Western Australia: commerce.wa.gov.au/worksafe

Northern Territory: worksafe.nt.gov.au

South Australia: safeworksa.gov.au

Labour hire information:

Queensland: labourhire.qld.gov.au/i-am-a-worker

Victoria: labourhireauthority.vic.gov.au/worker/

State government coronavirus assistance:

NSW: nsw.gov.au/covid-19

Coronavirus hotline (Service NSW, 24/7) 137 788

Queensland: covid19.qld.gov.au

COVID hotline 13 42 68

Victoria: coronavirus.vic.gov.au

COVID hotline 1800 675 398, select 0 for interpreter

WA: wa.gov.au/government/covid-19-coronavirus

NT: coronavirus.nt.gov.au

COVID hotline 1800 490 484

SA: covid-19.sa.gov.au

Information sheet

Relevant statutory authorities	Relevant OHS/WHS Act (suggested sections)	Relevant OHS/WHS regulations and links to codes of practice
<p>WorkSafe Victoria worksafe.vic.gov.au/ worksafe.vic.gov.au/agriculture Ph 13 23 60</p> <p>Victorian Government vic.gov.au/coronavirus labourhireauthority.vic.gov.au/host/</p>	<p><i>Occupational Health and Safety Act 2004</i> legislation.vic.gov.au/in-force/acts/occupational-health-and-safety-act-2004/037</p>	<p>Occupational Health and Safety Regulations 2017 legislation.vic.gov.au/in-force/statutory-rules/occupational-health-and-safety-regulations-2017/011</p> <p>worksafe.vic.gov.au/compliance-codes-and-codes-practice</p>
<p>Safework New South Wales safework.nsw.gov.au/ Ph 13 10 50</p> <p>New South Wales Government nsw.gov.au/covid-19</p>	<p><i>Work Health and Safety Act 2011</i> No 10 (Current version for 27 October 2020 to date) legislation.nsw.gov.au/view/html/inforce/current/act-2011-010#pt.2</p>	<p>Work Health and Safety Regulation 2017 legislation.nsw.gov.au/view/html/inforce/current/sl-2017-0404#</p> <p>safework.nsw.gov.au/resource-library/list-of-all-codes-of-practice/pre-whs-codes-accordion/whs-codes-of-practice</p>
<p>Western Australian Worksafe commerce.wa.gov.au/worksafe Ph 1300 307 877</p> <p>Western Australian Government wa.gov.au/government/covid-19-coronavirus</p>	<p><i>Occupational Safety and Health Act 1984</i> commerce.wa.gov.au/worksafe/about-occupational-safety-and-health-act-1984</p>	<p>Occupational Safety and Health Regulations 1996 commerce.wa.gov.au/worksafe/about-occupational-safety-and-health-regulations-1996</p> <p>commerce.wa.gov.au/worksafe/approved-codes-practice</p>
<p>Workplace Health and Safety Queensland worksafe.qld.gov.au/ Ph 1300 362 128</p> <p>Queensland Government qld.gov.au/health/conditions/health-alerts/coronavirus-covid-19</p>	<p><i>Work Health and Safety Act 2011</i> legislation.qld.gov.au/view/html/inforce/current/act-2011-018</p>	<p>Work Health and Safety Regulation 2011 legislation.qld.gov.au/view/html/inforce/current/sl-2011-0240</p> <p>worksafe.qld.gov.au/laws-and-compliance/codes-of-practice</p>
<p>NT Worksafe worksafe.nt.gov.au/ Ph 1800 019 115</p> <p>Northern Territory Government coronavirus.nt.gov.au/</p>	<p><i>Work Health and Safety (national uniform legislation) Act 2011</i> legislation.nt.gov.au/legislation/work-health-and-safety-national-uniform-legislation-act-2011</p>	<p>Work Health and Safety (national uniform legislation) Regulations 2011 legislation.nt.gov.au/legislation/work-health-and-safety-national-uniform-legislation-regulations-2011</p> <p>worksafe.nt.gov.au/forms-and-resources/codes-of-practice</p>
<p>SafeWork SA safework.sa.gov.au/ Ph 1300 365 255</p> <p>South Australian Government covid-19.sa.gov.au</p>	<p><i>Work Health and Safety Act 2012</i> legislation.sa.gov.au/lz?path=%2Fc%2Fa%2Fwork%20health%20and%20safety%20act%202012</p>	<p>Work Health and Safety Regulations 2012 legislation.sa.gov.au/lz?path=%2Fc%2FR%2FWORK%20HEALTH%20AND%20SAFETY%20REGULATIONS%202012</p> <p>safework.sa.gov.au/resources/codes-of-practice</p>