

## **Variation to an Enforceable Undertaking (EU) between the Workplace Health and Safety Regulator and M.E Christensen & Co Pty Ltd (MEC), accepted on 17 December 2018**

Due to a reduction in staffing and changes to MEC's business since the acceptance of the undertaking, the following variation to the MEC EU is proposed:

### **Section 3.2 - Activities to be undertaken to promote the objects of the safety Acts that will deliver benefits for workers/others**

#### **Under Term 3.2.1 (refer variation dated 14 February 2020):**

- Activities - Engage a Workplace Health and Safety Manager (WHS) to manage the EU and the compliance of the commitments (\$64,280 per year of the EU)
- Minimum cost - \$192,840
- Timeframe – Yearly pay summaries for WHSE Manager will be provided for the term of the undertaking as evidence that the WHSE Managers role is ongoing.

#### **Replace with:**

- Activities:
  - a. Engage a Workplace Health and Safety Manager (WHS) to manage the EU and the compliance of the commitments (Minimum Cost \$134,981.13).
  - b. Engage external Workplace Health and Safety consultants to support and assist with managing the EU and the compliance of the commitments (Minimum Cost \$30,757.50).
- Minimum costs - \$165,738.63
- Timeframe:
  - a. Yearly pay summaries for WHS Manager will be provided while employed to confirm minimum costs are met.
  - b. Confirmation of engagement and costs of WHS consultant will be provided to confirm minimum costs are met.

#### **Under Term 3.2.5 (Refer variation dated 9 July 2019):**

- Activities – Implement a web-based safety management software system.
- Timeframe – Within 10 months of acceptance.
- Evidence – Tax invoice and a letter from providing company will be sent to OIR

#### **Replace with:**

- Activities – Upgrade existing web-based audit software to an online safety management system.
- Timeframe – Within 3 months of acceptance of this variation.
- Evidence – Invoice Receipt and Upgrade to SMS will be provided to OIR.

#### **Under Term 3.2.8:**

- Activities - Perform safety walks done each day by safety manager and one time a week by all management.
- Evidence - Copy of safety walk report to be sent to the OIR every 6 months.

**Note:** A copy of this approved (signed) Addendum is to be attached to a copy of the accepted undertaking and should be made available to OIR when requested or during compliance audits.

**Replace with:**

- Activities - Perform safety walks each day by safety manager up to 30 June 2020 and one time a week by all management WHS manager.
- Evidence - Copy of safety walk report to OIR each six months up to 30 June 2020.

**Under Term 3.2.14:**

- Activities – Implement monthly safety toolbox talks
- Timeframe - Within six (6) months from acceptance and each 6 months thereafter.
- Evidence - Attendance record and agenda of the meeting will be sent to the OIR every 6 months.

**Replace with:**

- Timeframe - Within six months from acceptance and report each 6 months up to 30 June 2020.
- Evidence - Attendance record and agenda of the meeting will be sent to the OIR every 6 months up to 30 June 2020.

**Under Term 3.2.15:**

- Activities - Implement 3 toolbox talks with employees and a skilled industry Subcontractor
- Timeframe - Within 6 months from acceptance then at 18 months and 30 months from acceptance

**Replace with:**

- Activities - Implement 2 toolbox talks with employees and a skilled industry Subcontractor.
- Timeframe - First toolbox talk within 6 months of acceptance and second toolbox talk within 18 months of acceptance.

**Under Term 3.2.16:**

- Activities - Conduct an internal communications workshop targeting upwards communication in the workplace regarding safety. Training to be conducted by MEC's WHS Manager.
- Timeframe - Within 9 months of acceptance and then each 12 months thereafter for the term of the EU.

**Replace with:**

- Activities - Conduct two internal communications workshops targeting upwards communication in the workplace regarding safety. Training to be conducted by MEC's WHS Manager.
- Timeframe - Within 9 months of acceptance and the second to be conducted within the 21 months of acceptance.

**Under Term 3.2.17:**

- Activities - Implement a 360-degree feedback program to ensure clear open level communication and organisation development.
- Timeframe - Within 24 months of acceptance.
- Evidence - Attendance record and minutes of training will be sent to OIR.

**Replace with new deliverable:**

- Activities - Engage an independent lifting equipment safety specialist to conduct an on-site inspection and testing of the lifting chains.
- Minimum Cost - \$2,000.
- Timeframe - Within 3 months of acceptance of this variation.

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- Evidence - Invoice, receipts and copy of the inspection report.

**Under Term 3.2.18:**

- Activities - Commit the two staff who use the company car on the public roads to attend a defensive driving course (Queensland Level 1 course)
- Minimum Cost - \$398
- Evidence – Completion certificates and tax invoice will be sent to OIR.

**Replace with new deliverable:**

- Activities - Engage an Occupational Hygienist to undertake noise assessment and hazard monitoring of workers.
- Minimum Cost - \$10,000 (includes Occupational Hygiene Assessment with remaining costs to be used towards implementing controls or priority actions recommended in the report).
- Timeframe: Within 3 months of acceptance of this variation.
- Evidence: Invoice, receipts, copy of the report and evidence of implemented actions.

**Under Term 3.2.24:**

- Activities – Undertake professional ergonomics assessment of the office and implement recommendations
- Timeframe – Within 18 months of acceptance

**Replace with:**

- Timeframe: Complete assessment by 1 June 2022 and implement recommendations within 1 month of acceptance of this variation.

**Under Term 3.2.25:**

- Activities - Professional third-party audit of MEC's traffic management plan and implementation of recommendations. Audit to be conducted by certified auditor and letter of confirmation confirming the report has not been altered from the original and auditors quals to be provided to OIR.
- Minimum cost - \$2000
- Timeframe – Within 24 months of acceptance
- Evidence – Tax invoice, professional report and in-situ photos to be sent to OIR

**Replace with:**

- Activities - WHS consultant to conduct a traffic management assessment and develop a traffic management plan for the site.
- Minimum Cost - \$2,000 to be used towards implementing controls or priority actions identified in the assessment.
- Timeframe: Complete assessment by 1 June 2022 and implement recommendations within 3 months of acceptance of this variation.
- Evidence: Invoice, receipts, copy of the plan and evidence of implemented actions.

**Create new Deliverable:**

- **Term 3.2.26:**
  - Activities – WHS consultant to undertake a review of the Plant & Equipment Risk Assessments and update Safe Work Procedures.
  - Minimum Cost - \$5,000.
  - Timeframe - Within 3 months of the acceptance of this variation.

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- Evidence: Invoice, receipt and copies of upgraded to Safe Work Procedures.
- **Term 3.2.27:**
  - Activities - Engage an independent racking audit safety inspector to conduct an inspection of the workplace racking systems.
  - Minimum Cost \$5,000 (includes the Racking Risk Inspection Assessment, and remaining costs to be used towards implementing controls or priority actions recommended in the report.)
  - Timeframe: Within 3 months of the acceptance of this variation.
  - Evidence: Invoice, receipts, copy of the report and evidence of implemented actions.
- **Term 3.2.28:**
  - Activities - Upgrade the floor covering in the fibreglass workshop to prevent trips, slips and falls.
  - Minimum Costs \$1000
  - Timeframe - Within 3 months of the acceptance of this variation.
  - Evidence - Invoice, receipts, before and after photos.
- **Term 3.2.29:**
  - Activities In connection to the new deliverable in Term 3.2.18 Occupational Hygiene Assessment, and in addition to the costs to implement controls, MEC will undertake a review of the Hazardous Chemicals Risk Assessments and upgrade Hazardous Chemicals Storage Cabinet as a priority action.
  - Minimum Cost \$7,000.
  - Timeframe: Within 3 months of acceptance of variation.
  - Evidence: Invoice Receipts, copies of risk assessments and photo of installed cabinet.

### **Section 3.3 - Activities to be undertaken to promote the objects of the safety Acts that will deliver benefits for industry**

#### **Under Term 3.3.1:**

- Activities - Sponsor a Safety, Health and Environment Day at Centenary Place Industrial Park at Logan Village to include BBQ, safety talks from guest speakers. MEC to present outcomes from PERforM program IPAM and Safety Leadership at Work programs, free PPE handouts etc. To be held during safe work week (October) for the term of the undertaking.
- Minimum Cost - \$1,000 per event for 3 events.
- Timeframe - Within 12 months of acceptance and then each 12 months thereafter for the term of the EU with evidence provided for each

#### **Replace with:**

- Activities - Sponsor a Safety, Health and Environment Day at Centenary Place Industrial Park at Logan Village to include BBQ, safety talks from guest speakers. MEC to present outcomes from PERforM program IPAM and Safety Leadership at Work programs, free PPE handouts etc. To be held during safe work week (October) 2019.
- Minimum Cost \$1,000.
- Timeframe – Within 12 months of acceptance.

#### **Under Term 3.3.2:**

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- Activities - Engage a UQ OHSS Student for an industry placement at MEC. This will assist the student to complete their studies.

MEC to assist with students' employment post study by providing a profession CV service and other employment assistance option to a minimum value of \$500.

Student to give presentation as part of their placement at the MEC safety day (Term 3.3.1).

- Minimum cost - \$500
- Timeframe – Within 36 months of acceptance

**Delete Term 3.3.2** - Minimum costs to be reallocated towards Section 3.2 - Activities to be undertaken to promote the objects of the safety Acts that will deliver benefits for workers/others. under.

**Under Term 3.6.1:**

- ME Christensen & C Pty Ltd acknowledges the minimum spend for this undertaking will comprise of the:

Estimated total value of	Minimum spend
Benefits to workers/other	\$221,224
Benefit to industry	\$3,500
Benefits to community	\$5,000
OIR recoverable costs	\$10,124
<b>Estimated total minimum spend for the undertaking</b>	<b>\$239,848</b>

**Replace with:**

Estimated total value of	Minimum spend
Benefits to workers/other	\$223,724.63
Benefit to industry	\$1,000
Benefits to community	\$5,000
OIR recoverable costs	\$10,124
<b>Estimated total minimum spend for the undertaking</b>	<b>\$239,848.63</b>

**Variation Proposed:**



Rowan Field  
Managing Director  
M.E Christensen & Co Pty Ltd

Dated: 07/07/22 .....

**Variation Accepted:**



Kym Bancroft  
Deputy Director-General  
Office of Industrial Relations

Dated: 10/01/2023 .....

**Note:** A copy of this approved (signed) Addendum is to be attached to a copy of the accepted undertaking and should be made available to OIR when requested or during compliance audits.