

Presentation Instructions

Who is this presentation for?

The trainer and learners.

What is in this Presentation?

- Course information that matches the Learner Guide content.
- Review questions and model answers.
- Slides contain summarised content, with full notes and information for the trainer, visible when the slide show is shown in "Presenter View" (see instructions on next slide).
- Use this presentation to support and reinforce the training information from the Learner Guide.

What do you need to do before you use it for the first time?

1. Rebrand the presentation.
2. Review the presentation as part of your validation process.

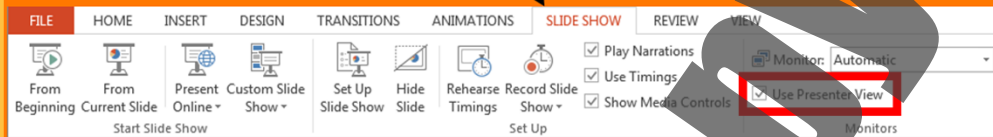
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Instructions for Viewing in Presenter View

NOTE: This view is only applicable when the computer is connected to a second screen or a data projector.

Once the second screen/projector is connected make sure that the "Use Presenter View" box is ticked.

This is found in the "SLIDE SHOW" tab as shown below.



BSBWHS418

**ASSIST WITH MANAGING WHS
COMPLIANCE OF
CONTRACTORS**



**TRAINING
PRESENTATION**

Evaluation

Training Presentation Sections

Click on a box to go to that section.



Section 1: Prepare for and Assist With Contractor Inductions



Section 2: Monitor Contractor WHS Compliance



Section 3: Non-Compliance with WHS

BSBWHS418

Section 1:
Prepare for and Assist With
Contractor Inductions



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1.1 Introduction

This training course is based on the unit of competency **BSBWHS418 Assist with Managing WHS Compliance of Contractors**.

This course applies to people who work in a broad range of WHS roles across all industries.

This unit describes the performance outcomes, skills and knowledge required to assist with the work health and safety (WHS) management of contractors.



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This unit describes the performance outcomes, skills and knowledge required to assist with the work health and safety (WHS) management of contractors.

1.1 Introduction

The WHS management of contractors has a strong focus on compliance with WHS organisational and legislative requirements.

NOTE: The terms Occupational Health and Safety (OHS) and Work Health and Safety (WHS) are equivalent and generally either can be used in the workplace. The term WHS will be used throughout this training course.



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1.2 Prepare for Contractor WHS Induction

Contractors and the business they are providing services to have obligations under Work Health and Safety (WHS) legislation.

When employing a contractor, a company has a duty of care to ensure the contractors are familiar with any WHS policies and procedures they are expected to follow. This will also assist with cohesion on the work site as everyone will be following the same WHS policies and procedures.



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1.2.1 How to Identify a Contractor

Understanding the difference between a contractor and an employee is essential as their status determines their compensation, superannuation entitlements, and tax requirements.

Usually, the easiest way to determine if a worker on site is a contractor or an employee is to remember that a contractor runs their own business and provides goods or services to others. In contrast, an employee works for someone else's business.



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1.2.1 How to Identify a Contractor

A contractor may also be called an independent contractor or sub-contractor.

Courts use a legal test to determine whether an individual is an employee or a contractor. It considers the nature of the relationship between the individual and the company and the amount of freedom they had in deciding how to complete the work tasks.

Business.gov.au has some good reference material for distinguishing an employee from a contractor and the associated difference in responsibilities and entitlements.



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1.2.1.1 Services Supplied by Contractors

A single contractor or a small team will usually be sufficient to complete smaller tasks. In contrast, large tasks will utilise a general contractor who will hire sub-contractors to perform specialised jobs needed to complete the work.

A subcontractor is anyone who provides labour or expertise to a project that has been hired by someone other than personnel with ownership over the project.

Commonly encountered subcontractors include tradespersons such as electricians, plumbers, concreters or HVAC specialists.



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The general contractor coordinates any subcontractors required to complete the job. This will include scheduling, pay and ensuring any needed training or licences are up to date. They also act as a central line of communication from all subcontractors they employ and the personnel who own/manage the project they are working on.



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1.2.1.1 Services Supplied by Contractors

The types of services provided by contractors include:

- ◆ Continuing outsourced work or functions, such as cleaning, catering and security.
- ◆ Continuing work performed by labour hire workers, such as contract or 'temp' work.
- ◆ Major contract work, such as in the construction industry.
- ◆ Occasional or intermittent work, such as maintenance, repairs, installation or alterations undertaken by independent contractors or subcontractors.
- ◆ A combination of some of the above.



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Contractors usually work in industries with highly flexible or short term work including construction, IT, logistics and creative arts.



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1.2.2 Locate and Review WHS Information

Contractors and the businesses they work for have WHS obligations. Before starting work the contractors must be provided with an induction to ensure they know how to meet these obligations and work safely. In preparation for the contractor's induction relevant WHS information should be identified and reviewed. This will help you to ensure the information being provided at the induction is relevant and up to date.



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1.2.2 Locate and Review WHS Information

To understand WHS obligations of contractors you may source the following types of information:

- ◆ **Internal** – Information sourced from and controlled by the business.
- ◆ **External** – Information sourced from and managed by external bodies such as industry groups or the government.



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Some examples of internal and external information are detailed below:

Internal Information Sources

- ◆ Hazard and incident reports.
- ◆ WHS policies and procedures.
- ◆ WHS performance indicators.
- ◆ Safety handbooks.
- ◆ Training information and data.
- ◆ Injury and near-miss reports.
- ◆ Consultation and participation records.

External Information Sources

- ◆ Australian/International standards.
- ◆ Manufacturer's manuals.
- ◆ Legislation.
- ◆ Codes of practice.
- ◆ Unions.
- ◆ Industry bodies.
- ◆ Regulations

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BSBWHS418

Section 1 Review Questions

1. What two (2) things does a court consider when determining if an individual is working as an employee or a contractor for a company?



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The nature of the relationship between the individual and the company and the amount of freedom they had in deciding how to complete the work tasks.



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