



Ministry of Commerce, Industry and Labour
Matagaluega o Pisinisi, Alamanuia ma Leipa



Occupational Safety and Health Guide

Managing Risks of Work-related Psychological Injury in the Workplace



**Australian
Aid** 

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This Guide was developed using extensive information from the following publications: SafeWork Australia Work-related psychological health and safety, National Guidance material (2019), SafeWork Australia Guide for preventing and responding to workplace bullying (2016), WHO Raising Awareness of Stress at work in developing Countries (2007), SafeWork Australia Guide for Managing the risk of fatigue at work (2013) and UK Health and Safety Executive, (2019) Tackling work-related stress using the Management standards approach.

Disclaimer:

- *MCIL has made every effort to ensure that the information in this Guide is reliable but makes no guarantee as to its completeness.*
- *Note this guide may be changed at any time without notice.*

Contents

Key Definitions	5
1.0 Introduction.....	7
1.1 What causes psychological injury – psychological hazards.....	7
1.2 Who has safety and health obligations to employees?	8
1.3 Reasons to manage work-related stress	8
1.4 Gaining senior management support.....	8
2.0 Step One of the Hazard Management Process- Identify Hazards:.....	9
2.1 Typical psychosocial hazards that may give rise to ‘stress’ include:.....	11
High job demands.....	11
Low job demands	11
Low job control.....	11
Poor support.....	11
Poor workplace relationships.....	11
Low role clarity	12
Poor organisational change management	12
Low recognition and reward	12
Poor organisational justice and unfairness	12
Poor environmental conditions.....	12
Remote work and isolated work	12
Violent or traumatic events	13
Vicarious Trauma.....	13
Workplace bullying.....	13
Fatigue.....	13
Individual employee factors	13
2.2 Step 1 Identify the psychosocial hazards	13
Data Gathering, consultation and collecting available information	13
3.0 Step 2 of the Hazard Management Process- Assess the risk	14
4.0 Step 3 of the Hazard Management Process Determine Suitable Controls	15
4.1 Reasonably practicable and the hierarchy of control	16
4.2 Methods to eliminate or minimise risks.....	17
Minimising risks.....	17
Other options, support.....	18
4.3. Administrative control measures	18
4.4 Personal protective equipment.....	19
Combining risk controls.....	19
What is the role of health promotion?	19
5. 0 Steps 4 and 5 of the Hazard Management Process implement, monitor and review	20
6.0 Managing Individuals with psychological injuries.....	20

6.1 Early intervention and support	20
6.2 Workplace bullying.....	21
How can workplace bullying occur?.....	21
Identifying bullying.....	22
Risk Control for bullying.....	23
Management Commitment towards non-bullying	23
Set the standard of workplace behaviour- Implement a workplace bullying policy.....	23
Implement reporting and response procedures	24
Provide training and information.....	24
SafeWork Australia 2016 Guide for Preventing and responding to workplace bullying.....	25
Responding to workplace bullying	25
Appendix A	26
Appendix B – FATIGUE CHECKLIST (Safework Australia 2013 Guide for Managing the Risk of Fatigue at work)	26
Appendix C Example HSE, risk assessment on work-related stress in a financial business (HSE, UK) Error! Bookmark not defined.	



Key Definitions

Best Practice Approach refers to suggested actions which currently go beyond specific legal obligations pursuant to the Occupational Health and Safety Act, 2002 and the Occupational Health and Safety Regulations, 2017.

Commissioner means the Commissioner of Labour, or a person lawfully acting in the role of the Commissioner

Individual factors

These are any attribute or characteristic of the individual that may increase the likelihood of developing a disease or injury.

Mental health

A state of wellbeing in which every individual realizes his or her own potential, can cope with the normal stresses of life, can work productively and fruitfully, and is able to make a contribution to her or his community.

Psychological injury A disorder diagnosed by a medical practitioner which includes a range of recognised cognitive, emotional, physical and behavioural symptoms. These may be short term or occur over many months or years, and can significantly affect how a person feels, thinks, behaves and interacts with others. These are sometimes also known as mental health conditions or disorders see above.

Psychosocial hazards Factors in the design or management of work that increase the risk of work-related stress which can then lead to psychological or physical harm.

These are sometimes also called psychological hazards, work-related stressors or organisational factors.

Workplace health promotion Refers to the combined efforts of employers, employees and society to improve the health and wellbeing of people at work. It can target topics such as healthy eating and sleep habits, physical activity, reducing alcohol, tobacco and illicit drug consumption as well as personal development and learning for example such as resilience training.

Work-related stress The physical and psychological response of a worker who perceives that the demand of their work or workplace environment exceed their ability or resources to cope. Work-related stress does not itself constitute physical or psychological harm or injury, but can result in an injury if stress is prolonged and or severe.

Reasonably practicable A requirement upon duty holders to do what they are reasonably able to do. It requires the duty holder to decide is it REASONABLE in the circumstances to do ALL that is possible or given the circumstances is it REASONABLE to do LESS based on consideration of

- a) the likelihood of the hazard or the risk concerned occurring
- b) the degree of harm that might result from the hazard or the risk
- c) what the person concerned knows, or ought reasonably to know, about the hazard or risk, and ways of eliminating or minimising the risk
- d) the availability and suitability of ways to eliminate or minimise the risk, and
- e) after assessing the extent of the risk and the available ways of eliminating or minimising the risk, the cost associated with available ways of eliminating or minimising the risk, including whether the cost is grossly disproportionate to the risk.

Transitional Period A specified period of time in which duty holders are given time to ensure compliance with the law, during which the law will not be enforced with any deterrent penalty. The transitional period is 1st January 2022



Scope and Aim of this Guide

This Guide is intended for employers as duty holders under the Occupational Safety and Health Act, 2002 (the OSH Act) and Occupational Safety and Health Regulations, 2017 (the OSH Regulations) and provides guidance on what is required to comply with their duties under this legislation.

In addition, this Guide provides supplemental information of a '**best practice approach**'* for the management of work related psychological risks in Samoan workplaces. Although the best practice approach **may go beyond strictly legal obligations**, duty holders are encouraged to work towards best practice.

To identify which are **current legal obligations**, compared to those which are **suggested best practice**, the following symbols are used.

*Denoted with the symbol:



current mandatory legal obligations, duty holder must ensure they comply




recommended best practice approach, a recommended approach

Exclusions

This Guide does not cover non-work-related psychological injuries.

1.0 Introduction

This guide provides information on how to ensure compliance with the current Samoan OSH law regarding managing work-related stress or psychological injury in the workplace.

-  **Employers have a general duty** to employees, which requires employers to take all reasonably practicable steps to protect the safety, health and welfare, at work, of employees and to provide a safe and healthy working environment, including for mental health.

1.1 What causes psychological injury – psychological hazards

Psychosocial hazards or factors are anything in a job design that increases the risk of a work-related stress response. A 'stress response' is physical, mental and emotional reactions that occur when an employee/worker's perceptions of the work demands appear to them beyond what they have the ability or resources to cope with.

It should be noted that 'stress' of itself does not cause an injury. An individual's response to 'stress' can be motivating, however, in some cases, particularly when a combination of psychosocial hazards arises, and the stress is prolonged and/or severe both psychological and physical injury may occur.

1.2 Who has safety and health obligations to employees?

Under both the OSH Act and OSH Regulations employers have **legal obligations** surrounding the management, and, the elimination or minimisation of risk, of psychosocial hazards.

OSH Act Part 3 General Duties of Care, Section 11



General duty of employers to employees

An employer must take all reasonably practicable steps to protect the safety, health and welfare, at work of employees and to provide and maintain a safe and healthy work environment including;

substances, systems of work, and any building or public or private area in which work takes place.



Note the 'general' duty of care is just that, general (rather than specific), it includes all aspects of employee safety, health and welfare. This general duty requires the employer to take '**reasonably practicable**' steps to protect the safety, health and welfare of employees, including in the context of work-related psychological hazards. The employer's decision on what is 'reasonably practical' is discussed in section 4.0, hazard control.

As with other hazards the legislation requires the employer to undertake a hazard management process to manage their legal duty.

1.3 Reasons to manage work-related stress

Workers who suffer stress at work are more likely to have physical health concerns including alcohol and drug abuse, increased change of cardio-vascular concerns, gastrointestinal disorders and obesity.

The consequences of work related stress impact more than the individual. If an organisation does not manage work-related stress, the impact upon the organisation may include:

- Poor productivity
- More human error
- Absenteeism
- Increased accidents
- High staff turnover
- Overall poorer organisational performance

As with all work-related hazards the hazard management process is the accepted management methodology. Work-related stress though might seem to be a more difficult topic to approach than the more observable physical hazards. It is therefore recommended that before a project is undertaken that the following preliminary steps are taken.

1.4 Gaining senior management support

Unless senior management are committed to all aspects of the project, including being ready to embrace opportunities for controls the project is unlikely to succeed. The HSE UK (2017) '*Tackling work-related stress using the Management Standards approach*' and associated resources provides considerable detail on the methodology to undertake an organisation wide project to manage psychological hazards in a workplace. This Guide provides a basic approach.

2.0 Step One of the Hazard Management Process- Identify Hazards:



The hazard management process is a five step approach to managing risk in the workplace for legal compliance. **Figure A**, below outlines the steps for legal compliance, namely:

- **identify** which workers are at risk of injury,
- determine which tasks or situations could cause workers harm
- evaluate the hazards, **assess the risk**
- identify and decide what kind of **control measures** should be implemented,
- implement
- **record monitor and review** to check the effectiveness of the existing control measures.

Note that penalties may apply if this process is not undertaken.

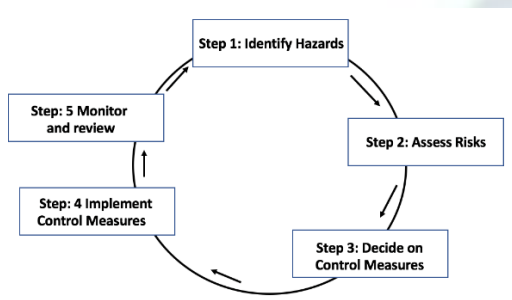


Figure A hazard management process steps

OSH Act Part 3 General Duties of Care, Section 11



General duty of employers to employees

An employer must take all reasonably practicable steps to protect the safety, health and welfare, at work of employees and to provide and maintain a safe and healthy work environment including;

substances, systems of work, and, any building or public or private area in which work takes place.



OSH Act Part 3 General Duties of Care, Section 12

An employer must establish and maintain effective methods for:

- a) systematically identifying existing and potential hazards to employees:
- b) systematically identifying at the earliest practicable time, new hazards to employees,
- c) regularly assessing the extent to which a hazard poses a risk to employees

(2) The methods may include but not necessarily be limited to self-inspection and hazard identification process approved by the Commissioner and notified or published in the Savali, and shall be carried out in cooperation with workplace representatives and Committees.



OSH Regulations Part 11 Regulation 3 Hazards and Risk Assessments

(3) Hazard identification and risk assessment

1. An employer must ensure that appropriate steps are taken to identify all reasonably foreseeable hazards arising from work which may affect the health or safety of employees or other persons in the workplace
2. If a hazard is identified under sub regulation (1), an employer must ensure that an assessment is made of the risk associated with the hazard
3. In carrying out an assessment under sub regulation (2) an employer must, as far as reasonably practicable, determine a method of assessment that adequately addresses the hazard identified, including one or more of the following:
 - a) a visual inspection
 - b) auditing
 - c) testing
 - d) technical or scientific evaluation
 - e) an analysis of injury or near miss data;
 - f) discussions with designers, manufacturers, suppliers, employees or other relevant parties
 - g) a quantitative analysis
4. Without limiting sub regulations (1) and (2) the identification of hazards and the assessment of associated risks must be undertaken:
before the introduction of any plant or substance;
or
before the introduction of a work practice or procedure; or
before changing the workplace, a work or work practice, or an activity or process, where to do so may give rise to a risk to health or safety.
5. An employer who contravenes this regulation commits an offence and is liable on conviction:
 - (a) For a corporation, to a fine not exceeding 1000 penalty units; and
 - (b) For any other case, 100 penalty units.



Current law, requires employers to have a PLAN to identify those risks in the workplace, regularly assess the risk and take every step necessary to protect the health and safety of persons by controlling exposure to risk. Employers should do all that is 'reasonably practicable' to identify and control psychological risks.



It is also a legal requirement that the identification and risk assessment process should be carried out with the **co-operation of workplace safety and health representatives and committees.**



Even if a workplace does not have safety and health representatives or committees it is reasonably practicable to consult with employees when identifying and assessing hazards.

2.1 Typical psychosocial hazards that may give rise to 'stress' include:

The following describes the different categories of psychosocial hazards. In the UK, the Health and Safety Executive have applied 'management standards' to the first six categories, namely: *demands, control, support, relationships, role and change*.

High job demands

Sustained high physical, mental and or emotional effort is required to do the job. Some examples are tasks or jobs that require:

- Working long hours
- high workloads that require too much to do, fast work pace or significant time pressures
- long periods of vigilance looking for infrequent events (like air traffic controllers, security monitoring)
- emotional effort in responding to distressing situations or distressed or aggressive clients (like paramedics dealing with difficult patients)
- exposure to traumatic events or work-related violence (like emergency workers)
- shift work leading to higher risk of fatigue, or
- frequently working in unpleasant or hazardous conditions (like extreme temperatures or noise, around hazardous chemicals or dangerous equipment, or having to perform demanding work while wearing uncomfortable protective clothing or equipment).

Low job demands

Sustained low levels of physical, mental or emotional effort required to do the job. Tasks or jobs that where there is:

- too little to do, or
- highly repetitive or monotonous tasks (like picking and packing products, monitoring production lines).

Low job control

Where workers have little control over aspects of the work including how or when a job is done. Tasks or jobs where:

- work is machine or computer paced
- work is tightly managed (like scripted call centres)
- workers have little say in the way they do their work, when they can take breaks or change tasks
- workers not involved in decisions that affects them or their clients, or
- workers are unable to refuse dealing with aggressive clients (like police services).

Poor support

Tasks or jobs where workers have inadequate:

- emotional support from supervisors and co-workers
- information or training to support their work performance, or
- tools, equipment and resources to do the job.

Poor workplace relationships

Jobs where there is:

- workplace bullying, aggression, harassment including sexual harassment, discrimination, or other unreasonable behaviour by co-workers, supervisors or clients
- poor relationships between workers and their managers, supervisors, co-workers and clients or others the worker is required to interact with
- conflict between workers and their managers, supervisors or co-workers - this is made worse if managers are reluctant to deal with inappropriate behaviours, or
- lack of fairness and equity in dealing with organisational issues or where performance issues are poorly managed.

Low role clarity

Jobs where there is:

- uncertainty about or frequent changes to tasks and work standards
- important task information, which is not available to the worker, or
- conflicting job roles, responsibilities or expectations (such as a worker is told one job is a priority, but another manager disagrees).

Poor organisational change management

Workplaces where there is:

- insufficient consideration of the potential health and safety and performance impacts during downsizing or relocations or associated with the introduction of new technology and production processes
- inadequate consultation and communication with key stakeholders and workers about major changes, or
- not enough practical support for workers during transitions times.

Low recognition and reward

Jobs where:

- there is a lack of positive feedback
- there is an imbalance between workers' efforts and formal and informal recognition and rewards
- there is lack of opportunity for skills development, or
- skills and experience are underused.

Poor organisational justice and unfairness

Workplaces where there is:

- inconsistent application of policies and procedures
- unfairness or bias in decisions about allocation of resources and work, or
- poor management of underperformance.

Poor environmental conditions

Exposure to poor quality or hazardous working environments. Examples include:

- hazardous manual tasks
- poor air quality
- high noise levels
- extreme temperatures, or
- working near unsafe machinery.

Remote work and isolated work

Work at locations where access to resources and communications is difficult and travel times may be lengthy. Examples include:

- night shift operators in petrol stations or convenience stores

Work where there are no or few other people around where access to help from others especially in an emergency may be difficult.

Violent or traumatic events

A workplace incident involving exposure to abuse, the threat of, or actual harm that causes fear and distress and can lead to stress and/or a physical injury. This is common amongst groups such as first responders, disaster and emergency services and defence personnel. Examples include:

- robbery
- assault
- being bitten, spat at, scratched or kicked
- being threatened with a weapon.

Vicarious Trauma

Even being a witness to a traumatic event (paramedics, police, emergency services, prosecutors, customs officers) or having to repeatedly listen to detailed descriptions of traumatic events can be a hazard.

Workplace bullying

This is discussed at 6.2 below.

Fatigue

Fatigue may be caused by work schedules such as shift work, night work, hours of work and lack of breaks as well as high job demands (extended concentration, repetitive tasks, continued physical effort), length, quality and time since sleep, the environment (hot, noisy) and personal lifestyle factors.

Fatigue is more than feeling tired and drowsy. In a work context, fatigue is a state of mental and/or physical exhaustion which reduces a person's ability to perform work safely and effectively. It can occur because of prolonged mental or physical activity, sleep loss and/or disruption of the internal body clock. Fatigue can be caused by factors which may be work related, non-work related or a combination of both and can accumulate over time. Appendix B includes a 'fatigue checklist'. Where fatigue hazards are identified an employer should undertake the hazard management process to assess and control any risks.

Individual employee factors

People respond to hazards in different ways. Individual differences that may make some workers more susceptible to harm from exposure to the same hazard include:

- being a new or young worker
- having an existing disability, injury or illness
- having previously been exposed to a traumatic event, or
- workers who are currently experiencing difficult personal circumstances at home or elsewhere

2.2 Step 1 Identify the psychosocial hazards

Identification requires deciding who might be harmed and how.

Data Gathering, consultation and collecting available information

Sickness absence data, high levels particularly in one area may be an alert

Productivity data (reviewed from different years or in compared in different departments), including discussing any reasons why

- Staff turnover, exit interviews
- Performance appraisal

- Team meetings
- Informal staff talks
- Observations

Surveys (e.g. good options are either the HSE UK survey, *'Management Standards Indicator Tool'* or the Australian Governments *'People at work survey'* found in Appendix A of this guide. Each survey focuses on the main 6 criteria of *demands, control, support, relationships, role and change*)

Focus groups which may target areas of the 6 criteria discussed above.



OHS Regulation 20 Accident Register

- (1) An employer shall keep a register containing details of every accident or incident which causes or which nearly causes death, serious injury, or illness to a person whether employed at the workplace or not.
- (2) The register shall comprise copies of all accident report forms and all accident investigation sheets as approved by the Commissioner and notified or published in the Savali.

Don't forget to consider 'traumatic events' that have been reported.

3.0 Step 2 of the Hazard Management Process- Assess the risk



Assess risks—understand the nature of the harm that could be caused by the hazard, how **serious** the harm (consequence) could be and the **likelihood** of it happening to determine the level of risk and prioritise the required action.

A risk assessment can help determine:

- how severe a risk is - the frequency and duration of exposure to a psychosocial hazard and possible consequences of continued exposure and whether existing control measures are effective
- how urgently you need to take action, and
- options for eliminating hazards or minimising the risk- including their effectiveness and availability.

After gathering data and identifying hazards consideration must go into assessing the risk. This is a task that will require considerable **consultation** with employees and managers. The first step in completing a risk assessment is to identify who should participate in the assessment—for example, the employees who do the task, their representatives, and management who have control over how the task is done.

The most common methods used to assess risks of psychological hazards in the workplace are consulting with workers and their representatives, using information collected from focus groups, interviews, and de-identified surveys. It may also be possible to have possible solutions raised and discussed.

When assessing risk, the frequency and intensity of exposure to each psychosocial hazard should be considered during the risk assessment. For example, infrequent exposure to low levels of workplace conflict may be unpleasant without causing a risk to psychological health and safety, while frequent exposure to high levels of conflict can increase the likelihood of both physical and psychological injury.

Appendix C provides an example of a documented risk assessment for work related stress.

4.0 Step 3 of the Hazard Management Process Determine Suitable Controls

After the risk has been assessed a decision about suitable controls is required based on consideration of **'what is reasonably practicable'** in the circumstances.

OSH Act Part 3 General Duties of Care, Section 11



General duty of employers to employees

An employer must take *all reasonably practicable steps* to protect the safety, health and welfare, at work of employees and to provide and maintain a safe and healthy work environment including;

substances, systems of work, and any building or public or private area in which work takes place.



OSH Act Part 3 General Duties of Care, section 13

Management of identified risks

- (1) An employer must take appropriate steps to control hazards which are identified and assessed as posing a threat to the safety, health or welfare of employees, and where practical the hazard must be eliminated.
- (2) If elimination is impracticable then steps must be taken to isolate hazards from employees
- (3) If elimination or isolation is impracticable, then employers must take steps:
 - a) To minimise the likelihood that the hazard will be a cause or source of harm to the employees; and
 - b) To ensure that protective clothing and gear is provided, such as meets the standards outlined in this Act, including Codes of Practice and regulations issued by this Act; and
 - c) To monitor the exposure of employees to the hazard; and
 - d) To monitor with the employees informed consent, the health of employees in relation to exposure of the hazard
- (4) The steps taken under this section include action to protect the environment, and persons in the environment from emissions, leakage or spillage from any machine process or substance used or stored in the course of the employer's business or operations.
- (5) In consultation with employees, risk assessments should be conducted into the management / organization
- (6) In order to manage the risks identified, the following steps are essential
 - a. Categorise the degree of risk
 - b. Develop strategies for control of risks
 - c. Implement the controls
 - d. Evaluate the controls
 - e. Continue employee consultation

Regulation 5 Control of risk (1) An employer must on the basis of a risk assessment under regulation 3 ensure that any risk to health and safety arising out of work are eliminated or if that is not reasonably practical minimised.

(2) An employer must, in the implementation of sub regulation (1) ensure that the minimisation of any risk is achieved by the application of the following hierarchy of control measures

- a) Firstly, the application, so far as is reasonably practicable, of engineering controls, including substitution, isolation, modifications to design, guarding and mechanical ventilation
- b) Secondly, if steps taken under paragraph (a) do not minimise the risk, the application, so far as is reasonably practical of administrative control. Including safe work practices
- c) Thirdly if steps taken under paragraph (a) and (b) do not minimise the risk, the provision of appropriate protective equipment,

(3) An employer who contravenes this regulation commits an offence and is liable on conviction:

(a) for a corporation, to a fine not exceeding 1000 penalty units: and

(b) for any other case, to a fine not exceeding 100 penalty units.

4.1 Reasonably practicable and the hierarchy of control



Current law requires the employer to take 'reasonably practicable' steps to protect the safety, health and welfare of employees and the work environment. The employer's decision on what is 'reasonably practical'. It requires the duty holder to decide is it REASONABLE in the circumstances to do ALL that is possible or given the circumstances is it REASONABLE to do LESS based on consideration of:

- a. the likelihood of the hazard or the risk concerned occurring,
- b. the degree of harm that might result from the hazard or the risk
- c. what the person concerned knows, or ought reasonably to know, about the hazard or risk, and ways of eliminating or minimising the risk
- d. the availability and suitability of ways to eliminate or minimise the risk, and
- e. after assessing the extent of the risk and the available ways of eliminating or minimising the risk, the cost associated with available ways of eliminating or minimising the risk, including whether the cost is grossly disproportionate to the risk.



The employer must decide what controls are suitable. Note that although the final decision is with the employer employees and their representatives best practice suggests employees should be consulted prior to final decision making.



The law requires elimination of the hazard where reasonably practicable, and, where elimination is not practicable, a 'sliding scale' of controls and combination of controls should be used based on what is reasonably practicable. It is a hierarchy because the further from elimination the less effective the controls. Because the hazards are psychosocial rather than physical many of the 'usual' controls may not apply.

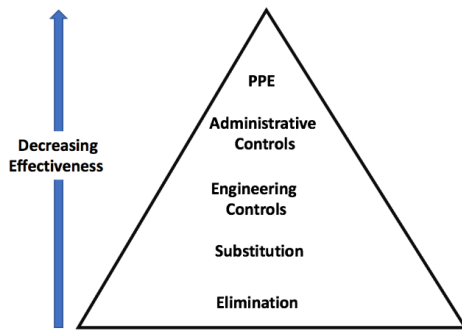


Figure 2 The Hierarchy of control

- **Eliminating the risk-** The aim is to eliminate the risk. If eliminating the hazards and associated risks is not reasonably practicable, **minimise** the risk by one or more of the following:

If risk remains, it must be minimised by implementing **administrative controls**, so far as is reasonably practicable.

4.2 Methods to eliminate or minimise risks

Eliminating the risk means completely removing the psychosocial hazard and associated risks. This is the most effective control measure and you should always consider it before anything else. It is recognised though that this is in the context of what is 'reasonably practicable'.

Possible examples for elimination include:

- removing the risk of assault during a robbery by exclusively using remote payment methods
- eliminating excessive work demands by
 - setting achievable workloads and performance targets with your current staff numbers and skills mix, or
 - designing jobs to eliminate activities better undertaken by outsourced companies with well-developed processes for example delivery of products to customers.

It may not be reasonably practicable to eliminate the risk, for example if doing so means you cannot make your product or deliver your service. Where a risk cannot be eliminated it must be minimised so far as is reasonably practicable.

Minimising risks

The hierarchy of control model was developed to address physical hazards. However, it can be applied to psychosocial hazards. Work design is used to minimise the risks by substituting the hazard, isolating the hazard from the person or putting in place engineering controls, so far as is reasonably practicable.

For psychological health and safety, substitution means substituting the hazardous ways of working with less hazardous alternatives, this is done by changing the design of the work or the system of work. Isolation and engineering controls may also be used to control physical and psychological risks.

Examples include designing work and work systems:

- Allowing longer for difficult tasks to be completed safely, especially by inexperienced staff

- Matching work allocation with appropriate staff for example ensuring sexual assault caseload allocations consider the case type, complexity, numbers of available staff and their skills and experience
- Redesigning work systems to minimise confusion by clearly defining your workers' roles, reporting structures, tasks and performance standards
- Providing workers with control over their work pace to allow them to take breaks to manage their fatigue instead of using machine pacing or automated work allocation
- increasing the level of practical support during peak workloads
- Consulting your workers about how major organisational changes may affect them and listening to their views
- Ensuring that there are proper ventilation controls in all areas to minimise airborne dispersion of dusts and micro-organisms
- Train personnel in the correct use, care removal and storage of PPES such as:
 - Safety boots
 - Safety helmet
 - Safety glasses
 - Safety gloves
 - Safety aprons
- To avoid accidents and to prevent injury, it is essential to follow general practices
 - a. Develop clear communication channels between all involved parties to ensure safe and consistent practices are maintained
 - b. Train all personnel in safe work practices
- Improving the work environment by
 - Reducing the physical demands of the job by supplying appropriate manual handling equipment
 - Installing sound dampening technology or enclosing machinery to isolate the worker from unpleasant or hazardous noise, or
 - Increasing the lighting in darker areas or placing barriers between workers and customers to minimise the risk of assault, violence and other crime.

Other options, support

If this is not reasonably practicable consider ways to provide more emotional and practical support or increase the level of job control the worker has over their tasks. By increasing support and or job control you can minimise the impact of other psychosocial hazards and bolster people's capacity to cope, they may then experience less stress.

4.3. Administrative control measures

Administrative controls include the organisation's policies and standard operating procedures. These outline for example expected workplace behaviours and how you will manage unreasonable behaviour including by your supervisors, workers, clients or customers.

They may also include specific instructions on how to manage foreseeable serious risks and how to respond if an incident occurs, including providing assistance to your workers. This is very important where there is a higher likelihood of exposure to psychosocial hazards, for example emergency responders.

Administrative controls include:

- using job rotation for repetitive or highly demanding tasks, to reduce exposure time such as rotating workers who need to deal with aggressive clients

- having clear expectations about psychological health and safety in your organisation including on bullying and sexual harassment and that you check these are put into practice
- ensuring your workers have the right tools, information, training and supervision to do their job safely and well you have a workplace values and rewards system that supports collaboration and teamwork in your organisation
- you consult and train your workers to prepare for the introduction of new equipment, software or production techniques, and
- providing your supervisors with appropriate training in people and work management, and on the job support, and
- you train your workers and supervisors to recognise early warning signs of psychological injury.
- ensuring that there is top level management commitment, supportive management can aid in the prevention, early identification and management of mental health conditions in the workplace

4.4 Personal protective equipment

Protecting the worker through personal protective equipment (PPE) is a last resort and must be used where there are physical risks likely to cause a stress response that cannot be reasonably minimised using higher order controls. Examples include providing:

- personal distress alarms
- outdoor workers with eye and face protection from the sun and glare
- police with body armour and face protection
- gloves, safety aprons or gowns, safety boots, safety helmet, respiratory protective equipment and face shields to protect child care workers, emergency workers, nurses and personal care workers from contact with body fluids, and
- high quality hearing protection or headphones to reduce stress reported from excessive or annoying background noise
- ensure that all safety equipment is always available and in good working order (reusable personal protective equipment such as eyewear should be cleaned regularly) and that routine checks of all equipment are carried out and that records of these checks are maintained

Combining risk controls

Workers may be exposed to multiple psychosocial hazards. Some of these may always be present while others only occasionally. Consider, also, how hazards interact.

In most cases, a combination of control measures will most effectively minimise the risk. For example, in customer service there may be work pressure, aggressive customers and supervisors who are not readily available to provide support. In this circumstance a combination of control measures could include:

- automating the service
- redesigning the work environment to introduce barriers between workers and clients
- job rotation to reduce exposure to distressed customers
- administrative procedures to prioritise customers showing signs of aggression, and
- training supervisor and workers to improve team communication
- providing training in de-escalation for aggressive customers, and
- reviewing difficult incidents to identify improvements to existing controls.

When implementing controls, you should always check that new hazards have not been inadvertently introduced new hazards.



What is the role of health promotion?

Although **not a legal requirement** some organisation's may be sufficiently sophisticated to consider general and mental health promotion which enable employees to increase control over and improve their physical and mental health. Health promotion in the workplace refers to the combined efforts of employers, workers and society to improve the health and wellbeing of people and can include focusing on healthy lifestyles, personal development and learning, and non-work-related factors in the general environment. For more information and health and wellbeing promotion review the *Guide How to Promote Health and Wellbeing in the Workplace*.

5.0 Steps 4 and 5 of the Hazard Management Process implement, monitor and review

To implement the most effective risk controls, employers should:

- communicate the reasons for the change to workers and others
- encourage workers to participate in the process
- develop work procedures to ensure controls are understood and responsibilities are clear
- provide training to ensure workers can implement the risk controls for the task competently
- allow workers to trial solutions before decisions are made to make the solution permanent
- review controls after an initial testing period, as they may need modification.

Control measures must be maintained, monitored and reviewed and then if necessary revised for risks to psychological health and safety to make sure they remain effective.

6.0 Managing Individuals with psychological injuries

6.1 Early intervention and support

The earlier it can be identified that a worker is experiencing work-related stress the sooner steps can be taken to prevent a psychological injury.

Opportunities for early intervention include when:

- a report of a work-related psychosocial hazard, this is a sign immediate action is needed
- a report of low morale, disengagement, unexplained sickness absences and reduced work productivity
- workers or teams show signs of work-related stress.

When employees/workers are finding it difficult to cope is important to demonstrate the organisation's commitment to:

- maintaining confidentiality
- supportive respectful and family friendly workplace, and
- a disability-friendly workplace.

Factors that can discourage workers from disclosing they are feeling stressed includes:

- concern about job security or of limited opportunities for promotion
- concern their supervisor might not be supportive, and
- the risk of being treated differently by their supervisor or co-workers.

Examples of early interventions:

- promptly investigating complaints including reviewing and revising risk controls
- training managers, supervisors and workers so they better understand psychological health risks, how these can be managed, and to recognise early warning signs
- establishing clear policies on workplace behaviour (such as bullying) and effective procedures for managing complaints, which are understood by all your workers

- having and communicating an early intervention policy outlining your expectations of your managers, supervisors and workers, and
- providing information for your workers on how to report psychological health concerns (such as reporting bullying, harassment or work-related violence).

6.2 Workplace bullying

Workplace bullying can adversely affect the psychological and physical health of a person. Workplace bullying is a psychological hazard that has the potential to harm a person, and it also creates a psychological risk as there is a possibility that a person may be harmed if exposed to it.

A **single incident** of unreasonable behaviour is not workplace bullying, nor is workplace bullying reasonable action of a manager taken in a reasonable way to discipline or performance manage an employee.

Workplace bullying is *repeated and unreasonable behaviour* directed towards a worker or a group of workers that *creates a risk to health and safety*.

Repeated behaviour refers to the persistent nature of the behaviour and can involve a range of behaviours over time.

Unreasonable behaviour means behaviour that a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.

Examples of behaviour, whether intentional or unintentional, that may be workplace bullying if they are **repeated, unreasonable** and **create a risk to health and safety** include but are not limited to:

- abusive, insulting or offensive language or comments
- aggressive and intimidating conduct
- belittling or humiliating comments
- victimisation
- practical jokes or initiation
- unjustified criticism or complaints
- deliberately excluding someone from work-related activities
- withholding information that is vital for effective work performance
- setting unreasonable timelines or constantly changing deadlines
- setting tasks that are unreasonably below or beyond a person's skill level
- denying access to information, supervision, consultation or resources to the detriment of the worker
- spreading misinformation or malicious rumours, and
- changing work arrangements such as rosters and leave to deliberately inconvenience a particular worker or workers.

If the behaviour involves violence, for example physical assault or the threat of physical assault, it should be reported to the police.

How can workplace bullying occur?

Workplace bullying can be verbal or physical abuse, through email, text messages, internet chat rooms, instant messaging or other social media channels. In some cases, workplace bullying can continue outside of the workplace.

Workplace bullying can be directed at a single worker or group of workers and be carried out by one or more workers. It can occur:

- sideways between workers
- downwards from supervisors or managers to workers, or
- upwards from workers to supervisors or managers.

Workplace bullying can also be directed at or perpetrated by other people at the workplace such as clients, patients, students, customers and members of the public.

The risk of workplace bullying can be minimised by taking a pro-active approach of:

- early **identification** of unreasonable behaviour and situations likely to increase the risk of workplace bullying occurring
- implementing **control** measures to manage the risks, and
- **monitoring and reviewing** the effectiveness of the control measures

Identifying bullying

Processes that may help identify workplace bullying or the potential for it to occur include:

- regular consultation with employees/workers and, where they exist, employee representatives and committees, including discussions aimed at finding out if bullying is occurring or if there are factors likely to increase the risk of workplace bullying—for some businesses conducting an anonymous survey may be useful
- seeking feedback when workers leave the business, for example exit interviews
- seeking regular feedback from managers, supervisors or other internal and external parties
- monitoring incident reports, worker's compensation claims, patterns of absenteeism, sick leave, staff turnover and records of grievances to establish regular patterns or sudden unexplained changes, and
- recognising changes in workplace relationships between workers, customers and managers.

Similar to work-related psychological hazards the following characteristics could help alert to potential risks in the workplace:

- *presence of work stressors* –
 - high job demands
 - limited job control
 - organisational change, such as restructuring or significant technological change
 - role conflict and ambiguity
 - job insecurity
 - an acceptance of unreasonable workplace behaviours or lack of behavioural standards, and
 - unreasonable expectations of clients or customers.
- *leadership styles* –
 - autocratic behaviour that is strict and directive and does not allow workers to be involved in decision making
 - behaviour where little or no guidance is provided to workers or responsibilities are inappropriately and informally delegated to subordinates, and
 - abusive and demeaning behaviour that may include inappropriate or derogatory language, or malicious criticism and feedback.

- *systems of work* –
 - lack of resources
 - lack of training
 - inappropriate work scheduling, shift work and poorly designed rostering, and
 - unreasonable performance measures or timeframes.
- *poor workplace relationships* –
 - poor communication
 - isolation
 - low levels of support, or
 - work group hostility.
- *workforce characteristics* – groups of workers that may be more at risk of being exposed to workplace bullying can include:
 - young workers
 - apprentices/trainees
 - workers in a minority group because of ethnicity, religion, disability, gender or sexual preferences
 - casual workers
 - new workers
 - injured workers and workers on return to work plans
 - piece workers, and
 - volunteers, work experience students and interns.

Risk Control for bullying

The risk of workplace bullying can be minimised, so far as is reasonably practicable, by creating and promoting a positive work environment where everyone is treated fairly and with respect.

Management Commitment towards non-bullying

Demonstrated senior management commitment in identifying, preventing and responding to workplace bullying is one of the key factors for preventing unreasonable behaviour and managing psychological risks.

Managers can demonstrate commitment in various ways including by:

- modelling respectful behaviours always
- developing and implementing a bullying policy which clearly identifies the expected behaviours and consequences of not complying
- dealing with unreasonable behaviour as soon as they become aware of it
- ensuring that reports of bullying are taken seriously and properly investigated, and
- consulting with workers.

Set the standard of workplace behaviour- Implement a workplace bullying policy

A workplace can set and enforce clear standards of behaviour through a code of conduct or a policy that outlines what is and is not appropriate behaviour and what action will be taken to deal with unacceptable behaviour.

The advantage of this approach is that unreasonable behaviours can be addressed before they escalate into workplace bullying.

A policy designed to prevent workplace bullying may be a stand-alone policy or incorporated into a broader code of conduct or work health and safety policy. The policy should be set out in writing, be developed in consultation with workers and should include:

- a statement that the organisation is committed to preventing workplace bullying as part of providing a safe and healthy work environment
- the definition of workplace bullying (as described in this guide)
- the standard of behaviour expected from workers and others in the workplace
- a statement, where relevant, that the policy extends to communication through email, text messaging and social media
- the process for reporting and responding to incidents of unreasonable behaviour
- the process for managing reports of workplace bullying, including vexatious reports, and
- the consequences of not complying with the policy.

Implement reporting and response procedures

Workplace bullying behaviours should not be tolerated and early reporting of these behaviours should be encouraged.

If an employee/worker considers they are being bullied they will be more likely to report it if they know there is a transparent reporting process in place and that it will be followed as soon as a report is received.

Reporting can be encouraged by:

- making it clear that victimisation of those who make reports will not be tolerated
- ensuring consistent, effective and timely responses to reports, and
- being transparent about dealing with workplace bullying by regularly providing information on the number of reports made, how they were resolved and what actions were taken—
- procedures should be used each time a report of bullying is made. They should also provide flexibility to fit the different circumstances of each report and be designed to suit the size and structure of the organisation. An effective procedure should:
 - outline how issues will be dealt with when a report of workplace bullying is made or received including broad principles to ensure the process is objective, fair and transparent—see section 3.2
 - clearly state the roles of individuals such as managers and supervisors, and
 - identify external avenues available to workers where reports of workplace bullying have been unable to be resolved internally.

Provide training and information

Training is a significant factor in preventing and managing workplace bullying, particularly to enable early intervention in workplace conflict before it potentially escalates into bullying. Workers including managers and supervisors should be aware of their roles in relation to preventing and responding to workplace bullying and have the appropriate skills to take action where necessary.

Response	Measure
Act promptly	Reports should be responded to quickly, reasonably and within established timelines. Relevant parties should be advised of how long it will likely take to respond to the report and should be kept informed of the progress to provide reassurance the report has not been forgotten or ignored.
Treat all matters seriously	All reports should be taken seriously and assessed on their merits and facts.
Maintain confidentiality	The confidentiality of all parties involved should be maintained. Details of the matter should only be known by those directly concerned in the complaint or in resolving it.
Ensure procedural fairness	<p>The person who is alleged to have perpetrated the bullying behaviour should be treated as innocent unless the reports are proven to be true. Reports must be put to the person they are made against and that person must be given a chance to explain his or her version of events.</p> <p>The person reporting the bullying should be respectfully listened to and their report treated as credible and reliable unless conclusively proven otherwise. The opportunity to have decisions reviewed should be explained to all parties.</p>
Be neutral	Impartiality towards everyone involved is critical. This includes the way people are treated throughout the process. The person responding to the report should not have been directly involved and they should also avoid personal or professional bias.
Support all parties	Once a report has been made, the parties involved should be told what support is available, for example employee assistance programs, and allowed a support person to be present at interviews or meetings e.g. health and safety representative, union representative or work colleague.
Do not victimise	It is important to ensure anyone who reports workplace bullying is not victimised for doing so. The person accused of workplace bullying and witnesses should also be protected from victimisation.
Communicate process and outcomes	All parties should be informed of the process, how long it will take and what they can expect will happen during and at the end of the process. Should the process be delayed for any reason, all parties should be made aware of the delay and advised when the process is expected to resume. Finally, reasons for actions that have been taken and in some circumstances not taken should be explained to the parties.
Keep records	<p>The following should be recorded:</p> <ul style="list-style-type: none"> • the person who made the report • when the report was made • who the report was made to • the details of the issue reported • action taken to respond to the issue, and • any further action required – what, when and by whom. <p>Records should also be made of conversations, meetings and interviews detailing who was present and the agreed outcomes.</p>

Appendix A – Work-related stress survey examples

HSE UK survey, 'Management Standards Indicator Tool'

People at work survey – An assessment of psychological hazards and factors in the workplace (Australian Governments)
(separate file)

Appendix B – FATIGUE CHECKLIST

(Safework Australia 2013 Guide for Managing the Risk of Fatigue at work)

This checklist provides guidance it is not an exhaustive list of risk factors. If the answer is yes to any of the questions, fatigue risks may need to be further assessed and control measures implemented.

Mental and physical work demands	
Does anyone carry out work for long periods which is physically demanding? (for example, tiring and repetitive such as bricklaying, process work, moving bags of cement, felling trees)	Yes/No
Does anyone carry out work for long periods which is mentally demanding? (for example, work requiring vigilance, work requiring continuous concentration and minimal stimulation, work performed under pressure, work to tight deadlines, emergency call outs, interacting/dealing with the public)	Yes/No
Work scheduling and planning	
Does anyone consistently work or travel between midnight and 6am?	Yes/No
Does the work schedule prevent workers having at least one full day off per week?	Yes/No
Does the roster make it difficult for workers to consistently have at least two consecutive nights sleep per week?	Yes/No
Do work practices include on-call work, call-backs or sleepovers?	Yes/No
Does the roster differ from the hours actually worked?	Yes/No
Does the work roster include rotating shifts?	Yes/No
Does anyone have to travel more than one hour to get to their job?	Yes/No
Work Time	
Does anyone work in excess of 12 hours regularly (including overtime)?	Yes/No
Does anyone have less than 10 hours break between each shift? (for example, split shifts, quick shift changeovers)	Yes/No
Is work performed at low body clock times (between 2 am and 6 am)?	Yes/No
Environmental conditions	
Is work carried out in harsh or uncomfortable conditions? (for example, hot, humid or cold temperatures)	Yes/No
Does anyone work with plant or machinery that vibrates?	Yes/No

Is anyone working with hazardous chemicals?	Yes/No
Is anyone consistently exposed to loud noise?	Yes/No
Non-work factors	
Are workers arriving at work fatigued?	Yes/No

MENTAL HEALTH IN THE WORKPLACE



MENTAL HEALTH IN THE WORKPLACE

CONTACT INFORMATION

For further information about Managing risks of Work-related Psychological Injuries in the workplace and OSH Compliance contact MCIL/OSH Unit

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