



Accent On Employers

HR: The Fair Work Act 2009

When does it come into effect?

As of 1st July 2009 new laws will be instigated regarding workplace relations. Federal Government is establishing a new independent umpire, Fair Work Australia, to oversee the system, with a focus on providing fast and effective assistance to employers and employees. It will have the power to vary awards, make minimum wage orders, approve agreements, determine unfair dismissal claims as well as make orders on matters such as good faith bargaining and industrial action.

The Fair Work Ombudsman will head the inspectorate. A Specialist Fair Work Division will be created in the Federal court and Magistrates Court to hear such matters, being fully operational by 1 January 2010.

The key elements of the new system include:

Safety Net

There is a safety net comprising of 2 parts –

1. 10 National Employment Standards address employment conditions (e.g maximum weekly hours of work, leave, public holidays, notice of termination and redundancy pay and the right to request flexible working arrangements) and
2. New modern awards which will apply to all employees in the federal system from 1 January 2010.

Fair Work Australia will also set minimum national wages for award and agreement-free employees, reviewing awards every 4 years and minimum wages annually.

Collective Bargaining

Collective bargaining at the enterprise level is at the heart of the Government's new workplace relations system. An enterprise agreement can be made between an employer and some or all of their employees with no distinction between union and non-union agreements. When bargaining is not occurring in

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good faith, Fair Work Australia will have the power to make orders to ensure compliance with the requirements.

Industrial Action

There will also be clear tough rules for industrial action. Industrial action can only be "protected" if it has been authorised by a mandatory secret ballot and all other requirements contained in the Act have been met. If unprotected industrial action is taken it will be mandatory for an employer to withhold at least four hours pay.

Right of Entry

In terms of right of entry to work places, the Fair Work Act largely replicates the provisions in the Workplace Relations Act. The key differences are the right of entry will now be linked to the right of the union to represent the industrial interests of the relevant employees. They must hold a permit; give 24 hours notice and comply with strict requirements for conduct on the site. When entry is for discussion purposes, the union can only hold discussions with workers who want to participate.

Unfair Dismissal

Protection from unfair dismissal is provided to all employees. However, employees of a small business must have been employed for 12 months, while for larger business this period is 6 months prior to lodging a claim.

For further detailed information visit the Australian Government Website, Workplace Relations New Workplace Relations.

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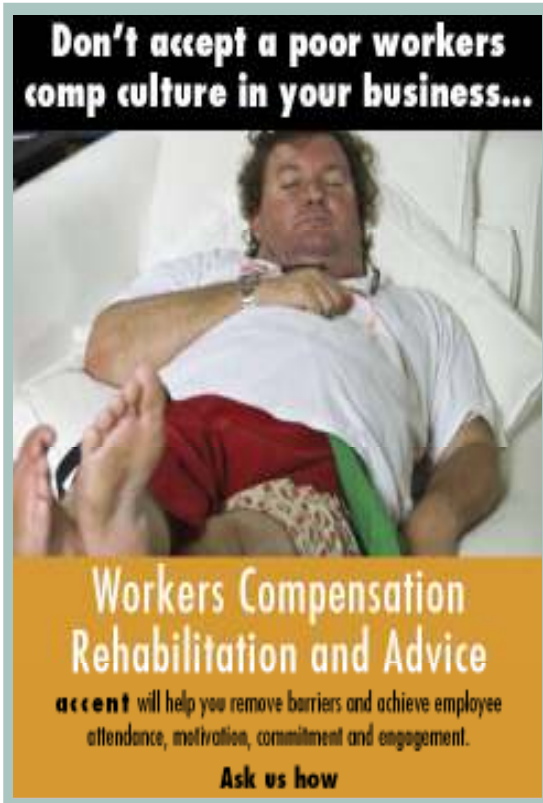
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Establishing a positive relationship with an injured worker.



If you have had any experience with an injured worker you will know that the key to ensuring a quick return to work is to support your worker and develop a relationship that they perceive will benefit their needs.

Here are some suggestions to assist that process:

- Express concern and support for the worker – listen to their concerns. Most people have not been in this situation before and are fearful of what lies ahead.
- Provide re-assurance to allay the worker's concerns
- Create positive expectations
- Acknowledge the pain levels
- Offer to include other family members
- Ask if there is anything else to be done
- Check if they are happy with the medical services received
- Provide information about:
 - The WorkCover system (provide brochure)
 - Mutual obligations (employer and worker)
 - The role of others (insurer, treating Doctor, supervisor)
 - The injury management process and role of the provider
 - The claims Process

- Ask, as the employer, if you can attend the next review with their NTD particularly when looking at return to work or upgrades.

If you find that these suggestions are not having the desired effect, or there are issues within the workplace or with the worker that you see will prevent a quick return to work, then it is advisable that you refer the worker to a rehabilitation provider to facilitate the process as quickly as possible. Talk to your insurer about approving a referral immediately. Enter the Rehab Consultant

The Rehabilitation Consultant – First Port of Call.

The way in which the Rehabilitation Consultant approaches and handles a Worker's injury management and return to work will ultimately determine the setting for the early establishment of effective relationships between the injured worker and all key parties.

Remembering that a major component of the Rehabilitation Consultant's role is to communicate with all parties involved in the return to work process, the initial contact with an injured worker will often set the scene for how effective subsequent involvement becomes.

Foremost, most worker's do not expect to sustain an injury at work. Most people do not know how the NSW WorkCover Scheme operates and will often turn to the Rehabilitation Consultant for guidance and assistance with helping them to return to work. With the exception of serious injury, an early and effective approach to managing a claim will achieve a higher probability of an injured worker returning to work in some form of capacity.

It is important to be prepared, be positive and allow sufficient time to converse with the worker and reply to any questions. Our initial interview with the worker is a blend of information gathering and information giving, creating a positive impression pertaining to the Worker's Compensation Scheme, provide a supportive work environment and to encourage a willingness from the injured worker to return to work as soon as possible.

What does a Rehabilitation Counsellor do?

Where a return to work with your company is not feasible, a Rehabilitation Counsellor will become involved. Rehabilitation Counsellors are skilled at assisting injured workers to identify alternative employment options. This usually involves a full vocational assessment in addition to counselling regarding the options available. If necessary, assistance with retraining can also be offered.

Finally, remember that the Rehabilitation Consultant is a key for making work place injury management work because it preserves the relationship between the worker and employer.

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Retro-paid loss (burning costs) Premium Arrangements.

A method by which large employers are able to reduce their Workers Compensation Premium as an alternative to self employment.

Provides the employer with the choice between conventional and burning cost premiums for 2009-2010 financial year.

Employer can decrease premiums by increasing the risk from three years to five years. This encourages the employer to actively prevent injures and in the event that they do occur, to apply best practice management of the claim.

Go to the WorkCover Web site for more information.

Chairing a Meeting

One of the key tools to manage an OHS system in any large workplace is to ensure you have an effective OHS Committee.

By law an employer with more than 20 employees on site is required to have either an established committee or an elected OHS representative(s). If you have concerns that you do not meet this requirement, contact an Accent consultant to discuss this matter.

Once established, the successful committee needs a chairperson to ensure that the meetings run smoothly. That chairperson is required to:

- Prepare and circulate a draft agenda before the meeting so that members can prepare themselves to discuss what is on the agenda.
- Gets the committee to agree on the draft agenda – review, revise and reorder the agenda as necessary.
- Ensure that the agreed agenda is followed in an orderly manner.
- Gives committee members equal opportunity to put forward their point of view.
- Clarified members' views and the facts they rely upon when necessary.
- Ensures the committee focuses on resolving problems and steps in, if the meeting is sidetracked by irrelevant issues.
- Identifies any points of disagreement and works for consensus
- Ensures there are clear outcomes for each agenda item covering what will be done, who will do it and by when.
- Ensure that there is a yearly review of all relevant policies and procedures providing recommendations to the employer for any subsequent action.

A chairperson guides and facilitates the meeting
It is the Committee that decides what to do and what to recommend to management.

Eat Well to Live Well

It is impossible to go a day without hearing or reading somewhere what you should or should not be eating. Living in such a tech-savvy world, we are constantly inundated with information telling us *what* to eat, *how much* we should eat, what to *avoid*, *when* to eat, and where to *buy*. It's little wonder the majority of us are left feeling bewildered by information overload. So, for those of us without a degree in dietetics, how are we to filter this information down to the major points relevant to us?

We are lucky in this country to have a wealth of scientific information at our fingertips. Our national bodies publish up-to-date research findings and allow the public to access these freely. For those of you not keen on sifting through the hundreds of publications, posters, flyers, and fact sheets available online, you are in luck - I have done the hard work for you!

Australian Dietary Guidelines

The Australian Dietary Guidelines have been produced by the National Health and Medical Research Council (NHMRC). They provide us with recommendations, which can improve our health and reduce the burden of preventable, diet-related death, illness and disability. These recommendations are, of course, based on the latest and best scientific evidence available. The guidelines and recommendations I have outlined below are applicable to adults between the ages of 19 & 60. They outline the amounts and types of food that need to be eaten each day in order to get enough of the nutrients essential for good health and well-being.

While designed for different population groups, the standout message pertinent to every Australian is to enjoy a wide variety of nutritious foods, and to increase the consumption of breads, cereals, legumes, vegetables, and fruits. We are advised to eat fresh food, and to avoid foods that contain too much added fat, salt, and sugar. Sounds obvious enough, doesn't it? The other major point made is that people need to increase their food variety. So what is that, exactly? And how do you achieve it without throwing your food budget into turmoil, and your family into anxiousness come every meal-time?




Studies have shown that people who eat a wide variety of foods are healthier, live longer, and have a decreased risk of developing all types of lifestyle illnesses. Food variety means eating a mixture of foods across the whole range of food types, eg fruit, vegetables, cereals, meat, fish, & dairy. Variety also means eating a range of foods from within each of the food groups, eg cereals can be wheat, oats, rye, rice, or barley. Variety is necessary since the nutritional benefits can be very different both between each food group as well as the foods within each group.



So what is the magic number?

- Choose a variety of foods from the Healthy Eating Pyramid
- Jazz up dishes with herbs & spices – they can transform a meal for minimal cost and don't add salt or fat!
- Introduce yourself and your family to a new food each week
- Treat yourself to a meal at a different restaurant
- Ask friends and family to share some recipes with you
- Experiment with different types of fruit, vegies and meats available – ask for tips on how to prepare and eat exotic foods
- Give yourself time to get used to new foods – experts say it can take humans up to 9 times to adjust to a new food or flavour!
- Remember: just because you haven't tried it, doesn't mean you won't like it!

Something important to remember when increasing your food variety is to decrease your portion sizes! Introducing more foods into your daily diet could lead to over-consumption of energy and weight gain.

Remember the equation: to maintain weight, energy in (food) must = energy out (activity/exercise).

What?	How?	Why?
<p>Breads, Cereals, Rice, Pasta & Noodles</p> 	<ul style="list-style-type: none"> ❖ Choose a variety of breads ❖ including brown, wholegrain, ❖ mixed grain, rye and rolls, pita ❖ breads and other flat breads ❖ Instead of choosing mostly bread or cereal, also eat rice, pasta & noodles – they contain less salt ❖ Try wholegrain bread, brown rice, wholemeal pasta, high fibre cereals 	<p>Foods from this group provide fibre, vitamins and minerals, carbohydrates and protein – all important for energy and growth & repair of the body! Carbohydrates are your brain's only fuel source – they're important!</p>
<p>Vegetables, Legumes</p> 	<ul style="list-style-type: none"> ❖ Choose a wide variety from week to week ❖ Buy vegies that are in season – they're the best value ❖ Use frozen and canned vegies as an alternative to fresh – they're nutritious, often cheaper, quick & easy to prepare, easily stored & available all year round 	<p>Foods in this group are an excellent source of vitamins, minerals, dietary fibre and carbohydrates</p>
<p>Fruit</p> 	<ul style="list-style-type: none"> ❖ Choose real fruit rather than juice – it's higher in fibre ❖ Dried fruit is nutritious & adds variety, but be careful to brush after eating – they can contribute to tooth decay! ❖ Canned fruit can be used as a replacement for fresh fruit – pick those canned in natural juice or without added sugar 	<p>Fruit is a rich source of vitamins, especially vitamin C and folate. fruits also provide carbohydrates - especially natural sugars and fibre, particularly in the skin</p>

<p>Milk, Yoghurt, Cheese</p> 	<ul style="list-style-type: none"> ❖ To avoid eating too much fat, choose reduced fat varieties ❖ If using full-fat cheese, limit intake to 3-4 times a week ❖ Note that low and reduced-fat varieties are not suitable for infants and young children ❖ Not a fan? Add milk or milk powder to soups, casseroles & sauces, add cheese to pancakes, omelettes and vegetable dishes, & use yoghurt in curries & dips ❖ Don't eat any of these foods? try sardines, tuna, salmon, soy milk, lentils, almonds, brazil nuts & dried apricots – they provide small amounts of calcium 	<p>Foods in this group are an excellent source of calcium. These foods are also a good source of protein, riboflavin, and vitamin B12</p>
<p>Meat, Fish, Poultry, Nuts, Eggs Legumes</p> 	<ul style="list-style-type: none"> ❖ Red meat should be eaten 3-4 times a week, or high iron replacement foods will be required – this is especially true for girls, women, vegetarians & athletes. ❖ Try a variety of meats & fish including beef, lamb, pork, duck, chicken, kangaroo, turkey, fish & shellfish ❖ Choose lean meats, avoid frying or roasting in fat or oil, eat processed meats occasionally, use legumes as an alternative, & use low-fat cooking methods such as stir-frying and grilling ❖ Vegetarian? Choose nuts, legumes & seeds, wholegrain or wholemeal bread and cereals as these foods are good sources of iron & zinc. Drink fruit juice or eat fruit with your meal – it increases iron absorption. 	<p>This group provides a good source of iron and zinc. Iron is needed to help carry oxygen around your body, and zinc assists in the healing of wounds and in growth & reproduction</p>



Laptop Ergonomic Awareness Program

The Laptop Ergonomic Awareness Program (LEAP) was founded by the Ergonomic Interest Group (EIG)

Ensure Your Workers are Protected from the potential Dangers of Laptop Use

The fixed design of Laptops violates the major ergonomic principle of being able to arrange the different components specifically to suit the user.

Because the keyboard and monitor are fixed together there is a no win choice between poor neck/head posture and poor hand/wrist posture. This means when the keyboard is in the correct position for the user the monitor is not, if the monitor is optimal the keyboard isn't.

Leading ergonomists agree incorrect Laptop use increases the risk of permanent damage to bones and muscles.



Anyone using a Laptop as their primary computer needs to ensure they are not hunched over in an awkward position and this requires external equipment.

- *Place your Laptop on a [Laptop Stand](#) or even Phone Books to a height that allows you to see the screen without bending your neck.*
- *Connect a [Mouse](#) and [Keyboard](#) to your Laptop externally and place them on the work surface so that your hands and wrists are straight with your elbows by your side.*
- *You will now be able to position Monitor, Keyboard and Mouse as you would a normal desktop in order to achieve the best working posture.*



For more detail go to <http://www.auzspec.com.au>