



# AFPA BULLETIN:

## Occupational Health & Safety

### Your duty as an AFP employee

3 March 2010

PROFESSION

**EMPLOYMENT**

WELFARE

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#### OH&S duties of AFP employees

As an employee, you must remember that you have a legal obligation to ensure that occupational health and safety is carried out in the workplace. This includes taking all necessary steps to promote the health, safety and welfare of you, your colleagues and anyone else in and around your workplace. Comcare has recently taken action against a number of individual employees as well as the AFP as an employer for failing to carry out these obligations.

#### What are your obligations?

Under the Occupational Health and Safety Act 1991, your responsibilities as an employee are set out under section 21(1). These can be summarised as taking all reasonably practicable steps in the following circumstances:

- To avoid acting, or failing to act, in situations where there is a risk to the health or safety of you, or any other persons, in or around you workplace. This applies to co-workers, contractors and even non-employees who might be attending the working environment.
- To co-operate with your employer and fellow employees to ensure that they can fulfil their obligations under the Act. This includes the proper handling of workplace equipment, accurately recording your hours and making sure you take adequate breaks between shifts.

The AFPA encourages you to take a proactive approach to OH&S in and around the workplace. This can include reporting to your team leader or OH&S representative about hazards or risks that may arise, and making sure that you carry out your duties with regard to the safety and wellbeing of others. There is a similar obligation on your employer to promote a healthy and safe workplace – and this includes the provision of adequate facilities with relevant health and safety arrangements in place.

#### What happens if you breach your duty?

An employee who is found to have breached their OH&S duty can be prosecuted and penalised up to \$19,800 and your employer can also be fined up to \$330,000.

If you have any comments on this bulletin or any other queries please contact AFPA legal on (02) 6285 1677 or via email on [afpa.legal@afpa.org.au](mailto:afpa.legal@afpa.org.au)

If you have any comments on this bulletin or any other queries please contact your local representatives or the AFPA National Office on [afpa.office@afpa.org.au](mailto:afpa.office@afpa.org.au).

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