



**Mining & Quarrying**  
OCCUPATIONAL HEALTH &  
SAFETY COMMITTEE

# Fitness for Work Guide

Promoting Work Health and Safety in the Workplace

# The South Australian Mining and Quarrying Occupational Health and Safety Committee

## Promoting Work Health and Safety in the Workplace

This workplace industry safety resource is developed and fully funded by the Mining and Quarrying Occupational Health and Safety Committee (MAQOHSC).

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**IMPORTANT:** The information in this guide is of a general nature, and should not be relied upon as individual professional advice. If necessary, legal advice should be obtained from a legal practitioner with expertise in the field of Work Health and Safety law (SA).

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# Fitness For Work Guide

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## AIM

The aim of this Guidance Material is to provide Persons Conducting a Business or Undertaking (PCBUs) with practical guidance on how to effectively manage the risks to health and safety associated with Fitness For Work (FFW).

## Forward

Fitness For Work means that an individual is in a state (physical, mental and emotional) where the individual is able to perform assigned tasks competently and in a manner which does not endanger the health and safety of themselves or others.

An individual's Fitness For Work may be affected for a variety of reasons, including the adverse effects of medical conditions, fatigue, stress, alcohol or other drugs, and an individual's emotional state. These factors can lead to work performance and behavioural issues and may lead to a higher likelihood of workplace incidents.

Under the *Work Health and Safety Regulations 2012 (SA)*, mine operators have a legislative obligation to manage the risks to health and safety associated with Fitness For Work and addresses them through a systematic risk management process.

The strategy adopted by your organisation must ensure workplace hazards and risks associated with Fitness For Work are eliminated or reduced, as far as practicable. This may include a range of initiatives to deal with the particular hazards and risks specific to your workplace.

The aim of managing Fitness For Work is to:

- Provide a clear outline of what is deemed an acceptable physical, mental and emotional condition for workers to present for work;
- Establish controls for fatigue;
- Establish systems to identify if persons are affected by alcohol or other drugs;
- Implement policies and procedures to manage workers that are potentially affected by alcohol or other drugs; and
- Ensure anyone adversely affected by fatigue, stress, medical conditions, mental health, alcohol or other drugs are provided with appropriate support.

Workers and Health and Safety Representatives (where they exist), must be consulted on health and safety matters, such as the development of any initiatives to deal with Fitness For Work matters. Consideration may also be given to consulting relevant employer and employee organisations and persons with relevant expertise.

## 1. Legislative Requirements

As stated in the MAQOHSC Work Health and Safety Roles and Responsibilities Guide, all persons in the workplace have “duties” under the *Work Health and Safety Act 2012 (SA)* and the *Work Health and Safety Regulations 2012 (SA)* to ensure the health and safety of workers caused to be engaged.

### 1.1. PCBUs / Mine Operators

In specific relation to Fitness For Work, *Work Health and Safety Regulations 2012 (SA)*, Chapter 10 (Mines), Part 2, Division 3, Subdivision 3, Fitness for work states:

#### 640 – Fatigue

In complying with Regulation 617 (*Managing risks to health and safety*), the mine operator of a mine must manage risks to health and safety associated with worker fatigue.

#### 641 – Alcohol and drugs

- 1) In complying with Regulation 617 (*Managing risks to health and safety*), the mine operator of a mine must manage risks to health and safety associated with the consumption of alcohol by workers.
- 2) In complying with Regulation 617 (*Managing risks to health and safety*), the mine operator of a mine must manage risks to health and safety associated with the use of drugs by workers.

**Note:** *Whilst Regulations 640 and 641 specifically address the requirements for dealing with fatigue, alcohol and other drugs, it is important to note that the Work Health and Safety Regulations 2012 (SA), Chapter 3, Part 1, states that duty holders have a duty to ensure all “reasonably foreseeable hazards are identified” and that all “risks to health and safety are eliminated or minimised, so far as is reasonably practicable”.*

### 1.2. Workers

Workers also have “duties” under the *Work Health and Safety Act 2012 (SA)*.

Section 28 – Duties of workers, states that while at work a worker must:

- a) Take reasonable care for his or her own health and safety; and
- b) Take reasonable care that his or her acts or omissions do not adversely affect the health and safety of other persons; and
- c) Comply, so far as the worker is reasonably able, with any reasonable instruction that is given by the PCBU to allow the person to comply with the Act; and
- d) Co-operate with any reasonable policy or procedure of the PCBU relating to health and safety at the workplace.

Workers should ensure that their activities away from work do not impact on their ability to perform their duties safely. They should also inform themselves about the effects of alcohol and other drugs on their ability to work safely. A worker should present and remain, while at work, fit for work. Being impaired by alcohol and / or other drugs may be a hazard and create risks for co-workers and other people at the workplace.

**Note:** *Workers includes employees, contractors, labour hire employees and trainees / apprentices.*

## 2. Consultation

The *Work Health and Safety Regulations 2012 (SA)*, Regulation 675R states that:

Workers and / or their representatives must be consulted in relation to the:

- Identification of potential hazards relating to Fitness For Work;
- Assessment of risks associated with Fitness For Work; and
- Identification and implementation of any controls for Fitness For Work matters.

## 3. Responsibilities and Accountabilities

### 3.1. Managers

Managers are responsible for ensuring:

- Fitness For Work management strategies are developed;
- Workers are consulted, in relation to all aspects of Fitness For Work matters;
- Risk assessments are conducted, taking into account relevant risk factors and by competent persons;
- Controls identified in the risk assessments are incorporated into the safety management system for the mine / quarry;
- All workers are trained and informed of the Fitness For Work requirements and controls;
- That Fitness For Work controls are applied fairly and consistently. This may include isolating a worker from the workplace in a manner which shows fairness, respect and has regard to the need to maintain confidentiality; and
- The Fitness For Work of workers reporting to them at the start of, and throughout, the work period is assessed and for taking prompt and appropriate action if required.

### 3.2. Supervisors

Supervisors are responsible for:

- Intervening when a worker is displaying signs that may indicate that the worker is not fit for work;
- Conducting or arranging Fitness For Work assessments;
- Ensuring that workers have received training and instruction on Fitness For Work requirements.

### **3.3. Workers**

Workers (inclusive of contractors, labour hire, etc.) are responsible for:

- Participating in the identification, assessment and control of Fitness For Work matters;
- Managing their non-work activities to ensure that when presenting for work they do so in a Fitness For Work state; and
- Informing their Supervisor / Manager of any potential impairment to their Fitness For Work, such as, but not limited to:
  - Medical conditions;
  - Prescription medication; and
  - Fatigue.

## **4. Instruction and Training**

You will need to ensure that all persons performing work at the mine / quarry are provided with instruction and training in relation to their roles and responsibilities within the Fitness For Work program. All persons must also be provided with the information and tools necessary to understand and manage their own Fitness For Work.

### **4.1. Site Inductions**

You will need to ensure that, as part of the induction process all new workers are provided with information and instruction regarding:

- How to access relevant Fitness For Work policies and procedures;
- How the Fitness For Work policies will be put into practice; and
- If available, how to access the employee assistance program (EAP).

### **4.2. Visitor Inductions**

All visitors need to be made aware of the key requirements of the Fitness For Work program and agree to abide by them.

### **4.3. Manager and Supervisor Training**

Managers and Supervisors should receive training in the recognition, management and referral for assistance of any concerns relating to Fitness For Work.

### **4.4. Ongoing Information**

The information and training provided on the Fitness For Work program during the induction process should be supported by continual awareness programs, to ensure that workers awareness of Fitness For Work issues is continually reinforced, especially in regards to:

- Fatigue;
- Alcohol and other drugs; and
- Mental health.

Information / awareness sessions can be incorporated into toolbox sessions, pre-shift information meetings, management meetings, etc. and may include inviting outside agencies to deliver a presentation.

## **5. The Fitness For Work Program**

A successful Fitness For Work program provides awareness and support. Awareness so that workers understand their obligations to be fit for work, and support so that workers are given every opportunity to manage and maintain their own fit for work issues.

Typically Fitness For Work programs are designed to achieve awareness and support through:

- Defining responsibilities for managers, supervisors and workers;
- Policies and procedures;
- Training and information; and
- Assessment of Fitness For Work.

## **6. Additional Resources**

MAQOHSC Alcohol and Other Drugs Guide

MAQOHSC Fatigue Guide



## **FURTHER ASSISTANCE**

MAQOHSC Work Health and Safety Specialists are available to provide further advice and assistance on all Work Health and Safety matters.

MAQOHSC Work Health and Safety Specialists are able to be contacted via our website at [www.maqohsc.sa.gov.au](http://www.maqohsc.sa.gov.au) or email [maqohsc@sa.gov.au](mailto:maqohsc@sa.gov.au).

## **ADDITIONAL INFORMATION**

Work Health and Safety Legislation, Codes of Practice, fact sheets, Health and Safety Representatives (HSR) information and guides can be found at the following websites:

SafeWork SA – [www.safework.sa.gov.au](http://www.safework.sa.gov.au) or call 1300 365 255

Safe Work Australia – [www.safeworkaustralia.gov.au](http://www.safeworkaustralia.gov.au) or call 1300 551 832

## **REFERENCES**

*Work Health and Safety Act 2012 (SA)*

*Work Health and Safety Regulations 2012 (SA)*

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