Safe Farm Vehicle Operation

Draft ACOP

Public Consultation document

WORKSAFE
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How the proposed Health and Safety at Work Act (HSWA) Amendment Bill is reflected in this draft

WorkSafe is working through what the government's proposed changes to the Health and Safety at Work Act might mean in practice for businesses.

As a result:

- this draft has only been updated to reflect the clearer, more settled proposed changes. These updates are showing in blue shading; and
- other proposed changes that are still being worked through (for example, how the changes may affect small and large businesses working together) have not yet been included in this draft.

Feedback

Feedback will be considered only in relation to this draft document. Comments on the proposed changes to the Health and Safety at Work Act are outside the scope of this consultation and will not be considered.

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1.0 Purpose

1.1 About this draft ACOP

1.1.1 This draft approved code of practice (draft ACOP) describes methods of compliance for Health and Safety at Work Act 2015 (HSWA) duties related to the use of farm vehicles and attached machinery.

1.1.2 The draft ACOP focuses on how to manage the risks associated with farm vehicles and attached machinery.

1.2 Who this draft ACOP is for

1.2.1 This draft ACOP is for PCBUs (persons conducting a business or undertaking) who run or manage farms or do agricultural work using farm vehicles or attached machinery, attached to vehicles such as mowers or trailers for example.

1.2.2 This includes PCBUs who are:

- farmers, including self-employed farmers
- farming businesses, partnerships, trusts and companies
- farm owners, operators and managers
- agricultural contractors and subcontractors, such as spraying, harvesting, baling and fencing
- labour hire businesses that send workers to farms using vehicles or attached machinery.

1.2.3 Workers and others involved in the industry may also find this code useful.

2.0 Scope and how to use this draft ACOP

2.1 What this draft ACOP covers

2.1.1 This draft ACOP focuses on the use of vehicles and attached machinery that cause the most harm on New Zealand farms. It covers how to safely operate the following vehicles and attached machinery for agricultural work under New Zealand farming conditions:

- quad bikes
- side-by-side vehicles
- two-wheel motorbikes
- tractors
- utes and other 2WD and 4WD vehicles
- machinery attached to vehicles, such as trailers, mowers and spray units which can affect stability.

2.1.2 The draft ACOP:

- explains the legal duties under the Health and Safety at Work Act 2015 (HSWA) and related regulations as they apply to the operation and maintenance of farm vehicles and attached machinery
- sets out practical actions to take to manage health and safety risks arising from operating, maintaining and working around farm vehicles and attached machinery
- gives examples based on real farming situations involving farm vehicles and attached machinery.

Critical risks and PCBU size

2.1.3 This draft ACOP focuses on critical risks associated with farm vehicles and attached machinery.

2.1.4 Critical risks are:

- risks that stem from hazards listed in Schedule 1A of HSWA, and
- risks that are likely to result in death, a notifiable injury, illness or incident, or an occupational disease listed in Schedule 2 of the Accident Compensation Act 2001.

How PCBUs must manage risks depends on their size

2.1.5 A small PCBU has fewer than 20 workers.

2.1.6 Small PCBUs must manage their critical risks to meet their duties under HSWA Sections 36 to 43, and the requirements to provide information, training, instruction, supervision and personal protective equipment under the Health and Safety at Work (General Risk and Workplace Management) Regulations 2016.

2.1.7 Other PCBUs must prioritise managing critical risks over other risks and must continue to provide worker welfare facilities such as adequate lighting, washing facilities and first aid.

2.2 What this draft ACOP does not cover

2.2.1 This draft ACOP does not cover every risk or activity that may occur on a farm. In particular, it does not cover:

- general risk management practices
- the purchase, sale or import of vehicles or attached machinery, including consumer or commercial purchasing decisions. This draft ACOP applies regardless of whether vehicles or attached machinery are new, second-hand, refurbished or imported
- the design, manufacture or specification of attached machinery (such as trailers, mowers or spray units). This draft ACOP focuses on how attached machinery affects vehicle stability and safe operation, rather than product design or engineering requirements
- non-mobile farm plant or infrastructure, such as fixed farm buildings, yards, sheds, fences, or stationary equipment
- domestic or recreational vehicle use that is not part of work carried out for a business or undertaking
- hazardous substances and chemical exposure risks, including spraying, storage, mixing or handling of agrichemicals. These risks are covered by separate hazardous substances legislation and guidance, see Hazardous substances | WorkSafe.
- vehicle use in non-agricultural industries, where industry-specific guidance applies (for example, mobile plant used for construction or earthmoving work, such as excavators or bulldozers).

2.3 How to use this draft ACOP

2.3.1 This document is written as a ‘safe harbour’ draft ACOP.

2.3.2 If a business follows what a safe harbour ACOP sets out, they would be treated as having complied with the relevant legal duty. For 'safe harbour' to apply, duty holders need to follow all the actions set out in the ACOP to comply with the stated HSWA duty. If a duty holder follows most, but not all, actions they may still meet their duty, but safe harbour will not apply.

2.3.3 Duty holders do not have to follow the actions set out in this draft ACOP. They can meet HSWA requirements in other ways.

2.3.4 This draft ACOP focuses on critical risks that commonly arise when using farm vehicles and attached machinery. It does not cover every possible risk that may occur in every farming situation. Where risks are present but not covered by this draft ACOP, duty holders must manage those risks to meet their HSWA duties. Safe harbour will not apply to risks or control measures that are not set out in the draft ACOP.

2.3.5 The examples in this draft ACOP are fictional but based on real situations. The examples are used to illustrate and reinforce the content. They are not intended to set a minimum standard.

2.3.6 Links to explanatory guidance are provided for readers that need further information.

2.4 Terms and symbols used in this draft ACOP

2.4.1 Table 1 shows what certain terms and symbols mean in this draft ACOP.

Table 1: The meaning of certain terms and symbols in this document

Term or symbol	Meaning in this document
PCBU	Person conducting a business or undertaking.
'you'/'your'	Refers to the PCBU or business.
'**must**' and/or 	Shows a legal requirement under HSWA or its regulations. You must follow these requirements.
'make sure', 'do not', 'check' or similar wording	Actions to take to comply with this draft ACOP. For safe harbour to apply, duty holders need to follow all the actions set out in the ACOP to comply with the stated HSWA duty. If a duty holder follows most, but not all, actions they may still meet their duty, but safe harbour will not apply.
Blue shading	Content based on proposed changes to the Health and Safety at Work Act.

2.4.2 See Appendix 1: Glossary for further terms.

3.0 Duties under the Health and Safety at Work Act 2015 (HSWA)

3.1 Health and safety duties under the law

3.1.1 This draft ACOP explains what you need to do to manage health and safety risks when farm vehicles and attached machinery are used for work.

3.1.2 It focuses on the practical steps that help you meet your duties under HSWA, as they apply to farm vehicles and attached machinery.

Which duties this draft ACOP helps you meet

3.1.3 This draft ACOP helps people who run or manage farms, and other agricultural businesses (PCBUs), meet duties under HSWA including:

- keeping workers safe, and making sure other people are not put at risk by work (HSWA Section 36 – primary duty of care)
- working safely with other businesses, where more than one business has duties for the same work (HSWA Section 34 – overlapping duties)
- managing and controlling workplaces, including places where farm vehicles and attached machinery are used (HSWA Section 37)
- managing and controlling vehicles and attached machinery used at work (HSWA Section 38).

3.1.4 Other health and safety requirements, including those in regulations, are referred to in the parts of this draft ACOP where they apply.

A **workplace** is a place where work is being carried out or usually carried out for a business or undertaking. It includes any place where a worker goes or is likely to be while at work (Section 20 of HSWA).

For a PCBU conducting a farming business or undertaking, a workplace also includes any land, building, vehicle, vessel, aircraft or mobile structure used for the farming operation (Section 37(3) of HSWA).

HSWA gives different duties to different people and organisations at work.

How this draft ACOP helps you meet your duties

3.1.5 This draft ACOP does not explain health and safety law in general. Instead, it:

- focuses on the main risks linked to using farm vehicles and attached machinery, and
- sets out practical actions that show one way to manage those risks.

3.2 Working with other PCBUs to manage health and safety

Working together when PCBUs have duties for the same workplace, work activity or person

3.2.1 As a PCBU, you **must**:

- ensure, so far as is reasonably practicable, the health and safety of your workers and any other workers you influence or direct while workers are carrying out work in the business or undertaking
- ensure, so far as is reasonably practicable, that your work does not put other people's health and safety at risk from work carried out as part of the conduct of the business or undertaking.

3.2.2 For small PCBUs, these duties apply only in relation to critical risks.

3.2.3 Where other HSWA duties or regulatory requirements apply, small PCBUs **must** prioritise managing critical risks over other risks.

3.2.4 Farming work often involves more than one PCBU working together. This can include farmers, contractors, subcontractors, or different PCBUs working on the same farm or in the same area.

3.2.5 A PCBU may have more than one duty. More than one PCBU may have the same duty.

3.2.6 PCBUs that work together can have the same health and safety duties for a workplace, work activity or person. These are called "overlapping duties".

3.2.7 Overlapping duties can arise:

- in contracting chains, including where contractors and subcontractors are engaged, and
- in shared workplaces, such as when different PCBUs work near each other, even if there is no direct contract between them.

What must PCBUs do when duties overlap

3.2.8 When multiple PCBUs have the same duty, each PCBU **must**, so far as is reasonably practicable:

- consult with each other
- cooperate with each other
- coordinate their activities.

3.2.9 For small PCBUs, when managing risks, the duty to consult, cooperate and coordinate applies only in relation to critical risks.

3.2.10 Consultation, cooperation and coordination should occur when work is being planned, organised and carried out, and whenever conditions or risks change.

3.2.11 Appendix 3 shows how to consult, cooperate and coordinate with other PCBUs.

Responsibility cannot be transferred

3.2.12 Each PCBU is responsible for meeting their own duties.

3.2.13 A duty imposed on a person under HSWA may not be transferred to another person.

3.2.14 PCBUs may work together and make reasonable agreements about how duties will be managed, to the extent which they have the ability to influence and control the matter.

3.2.15 For small PCBUs, when managing risks, these duties apply only in relation to critical risks.

3.2.16 Where other HSWA duties or regulatory requirements apply, small PCBUs **must** prioritise managing critical risks over other risks.

3.2.17 A PCBU with more influence and control is likely to have more responsibility. The level of influence and control can change as the work progresses.

3.2.18 For more information on overlapping duties, see:

- Appendix 3
- Overlapping duties | WorkSafe.

3.3 Information upstream PCBUs provide to support safe use on farms

Who this section applies to

3.3.1 PCBUs in the supply chain (upstream) also have health and safety duties for farm vehicles and attached machinery used on farms.

3.3.2 In this draft ACOP, upstream duty holders include those who design, manufacture, import, supply, install or commission farm vehicles or attached machinery that may be used for agricultural work.

3.3.3 Upstream duty holders are in a strong position to eliminate or minimise risk. They can influence, and sometimes eliminate, health and safety risks through their design, manufacture and supply choices before a vehicle or attached machinery is used on a farm.

What this section covers

3.3.4 This section sets out the information that upstream duty holders are required to provide under HSWA to support the safe use of farm vehicles and attached machinery for work.

3.3.5 Providing clear, accurate and complete information is critical because farm vehicles and attached machinery are often used:

- across varied terrain and conditions
- with different attachments
- by different operators over the life of the vehicle or attached machinery.

3.3.6 Upstream duty holders are in a position to influence health and safety outcomes by making sure PCBUs have the information they need to identify risks and operate equipment safely.

3.3.7 How upstream duties apply to small PCBUs will depend on whether the risks involved are their critical risks.

Duty to provide information for safe use

3.3.8 Upstream duty holders **must**, so far as is reasonably practicable, provide information about farm vehicles and attached machinery that is necessary to ensure the vehicle or attached machinery is without risks to health and safety when used for its intended purpose, and for reasonably foreseeable use on farms.

3.3.9 This includes information that allows PCBUs to understand:

- the limits of the farm vehicles or attached machinery, and
- the risks that need to be managed when it is used for work.

3.3.10 Where relevant to the vehicle or attached machinery, this information includes:

- intended use and operating limits, including any limits on load, towing, passengers, terrain or slope, and any other conditions that affect safe operation
- attachments and configurations, including which attachments and combinations are intended or approved for use, and which configurations are not suitable for use because they introduce new or increased risks
- known or reasonably foreseeable risks associated with use, including risks related to stability, rollover, entanglement, crushing, run-over, or interaction with loads or attachments
- inspection, maintenance and repair, where these activities are reasonably foreseeable in farming use, including any safety precaution that need to be followed.

3.3.11 Make sure this information is provided in a form that is clear and understandable to the people who are expected to use it, taking into account how and where the vehicle or attached machinery is normally used.

How this information supports safe use on farms

3.3.12 The information provided by upstream duty holders supports PCBUs to:

- choose farm vehicles and attached machinery that are suitable for the job and conditions
- set safe operating limits and rules for work
- train and supervise workers appropriately, and

- identify when vehicles or attached machinery are not suitable for a task or need to be taken out of service.

3.3.13 As a PCBU, make sure you take this information into account when managing risks associated with using farm vehicles and attached machinery for work.

Scope of this section

3.3.14 This section focuses only on the provision of information needed to support the safe use of farm vehicles and attached machinery at farm workplaces.

3.3.15 It does not address upstream duties relating to design or manufacture except where those matters are directly relevant to the safe use, inspection, maintenance or repair of vehicles or attached machinery on farms.

3.4 Risk and the duty to manage it

Overall duty to manage risk

3.4.1 A person with duties under HSWA **must** manage health and safety risks.

3.4.2 This means they **must**:

- eliminate risks to health and safety, so far as is reasonably practicable, and
- if elimination is not reasonably practicable, minimise those risks, so far as is reasonably practicable.

3.4.3 This duty applies only to the extent that the person has, or could reasonably be expected to have, influence and control over the matter creating the risk.

3.4.4 For small PCBUs, the duty to eliminate or minimise risks applies only in relation to critical risks.

3.4.5 Where other HSWA duties or regulatory requirements apply, small PCBUs must prioritise managing critical risks over other risks.

3.4.6 For more information about risk management, see:

- Appendix 6 which explains an approach to managing risk. This draft ACOP does not provide a complete risk-management system.
- Section 5.0 which explains other duties and requirements for managing vehicle and attached machinery risks.

3.5 Worker involvement in health and safety

3.5.1 As a PCBU, you **must** engage with workers when identifying hazards and assessing risks to work health and safety arising from work carried out or to be carried out as part of the business or undertaking, and when making decisions about ways to eliminate or minimise those risks.

Engage with workers

3.5.2 PCBUs **must,** so far as is reasonably practicable**,** engage with workers who carry out work for the PCBU and who are, or are likely to be, directly affected by a matter relating to work health or safety. Engagement with workers requires:

- that relevant information about the matter be shared with workers in a timely manner, and
- that workers be given a reasonable opportunity to express their views and to raise work health or safety issues in relation to the matter, and to contribute to the decision-making process relating to the matter, and
- that the views of workers be taken into account by the PCBU, and
- that the workers be advised of the outcome of the engagement in a timely manner.

3.5.3 If the workers are represented by a health and safety representative, they **must** be involved in the engagement.

3.5.4 For work involving farm vehicles and attached machinery, engagement with workers should focus on health and safety matters that influence how risks will be managed for the task.

3.5.5 This may include engaging with workers:

- about the task, conditions and operating limits relevant to the work, including routes, areas of operation and equipment set-up (see Sections 4.0 and 5.0)
- when deciding which control measures will be used in practice, such as speed limits, exclusion zones, coupling processes and maintenance triggers
- about whether training, instruction or supervision is needed for the specific vehicle, terrain or task

- about near misses, defects and changing conditions and responding in a way that supports early reporting.

Enable worker participation

3.5.6 PCBUs **must** have ways for workers to be involved in improving health and safety at work.

3.5.7 These arrangements **must** give workers reasonable opportunities, on an ongoing basis, to take part in health and safety matters that affect them.

3.5.8 What is reasonable will depend on the circumstances, including:

- the number of workers working in the business
- the number of different workplaces of the business, and the distance between them
- the likely risks to work health and safety in the business and the level of those risks
- the nature of the work that is performed and the way that is arranged and managed
- the nature of employment or contracting arrangements
- the willingness of workers and their representatives to develop worker participation practices
- in relation to employers and employees, the duty to act in good faith as required by Section 4 of the Employment Relations Act 2000.

3.5.9 When setting up worker participation practices, PCBUs **must**:

- meet any specific legal requirements that apply
- take relevant approved codes of practice into account.

3.5.10 Worker participation practices support the ongoing identification of risks and the improvement of systems of work, including risks associated with the use of farm vehicles and attached machinery.

3.5.11 For work involving farm vehicles and attached machinery, participation practices should enable workers to contribute to health and safety matters that affect how risks are identified, assessed and managed, for example by raising issues related to:

- routes, tracks or areas of operation
- vehicle or attached machinery defects or limitations

- changes in terrain, conditions or workloads
- the practical effectiveness of control measures in use.

3.5.12 Make sure participation practices are appropriate to the size and nature of the farm and workforce, and operate in practice during busy periods and when contractors or casual workers are present. Make sure this includes structured ways of:

- raising and responding to health and safety issues
- reviewing whether existing control measures remain effective.

3.6 Managing work-related health risks

How work-related health risks can directly affect vehicle safety

3.6.1 This section covers health risks that could make vehicle incidents (such as rollovers, runovers, collisions and loss of control) more likely to occur or more serious. This is because they can affect workers':

- alertness
- judgement
- reaction time
- visibility
- physical control.

3.6.2 Managing the health risks described next will help workers stay in control of vehicles and make safer decisions, especially during higher-risk vehicle work.

Fatigue

What is fatigue and how can it harm?

3.6.3 Fatigue is one of the biggest contributors to serious vehicle incidents on farms.

3.6.4 Fatigue is a state of physical and mental exhaustion that reduces a worker’s ability to work safely and effectively.

3.6.5 When operating farm vehicles and attached machinery, fatigue can reduce alertness, slow reaction times, impair judgement and make it harder to maintain control. This increases the likelihood of rollovers, runovers, collisions and other vehicle incidents.

3.6.6 Fatigue can arise from long hours, physically demanding work, remote or isolated work, night or low-visibility work, adverse weather or high workload

pressure. Fatigue can also interact with other hazards, making it harder for operators to recognise changing conditions or respond safely.

How can the risk of fatigue be managed?

3.6.7 To manage fatigue risks when farm vehicles and attached machinery are used, make sure work is planned, organised and monitored so that workers are not required to operate vehicles or attached machinery while fatigued.

3.6.8 This includes:

- identifying tasks, work patterns and conditions that are likely to cause fatigue, such as long hours, physically demanding or repetitive work, remote or isolated work, adverse weather, night or low-visibility work
- organising work and rest so fatigue is actually prevented or reduced in practice, and adjusting plans when conditions change (for example due to breakdowns, delays, weather or increased workload)
- managing physically demanding and repetitive tasks (such as mounting and dismounting vehicles, handling or connecting attachments, prolonged exposure to vibration and prolonged use of controls) so they do not contribute to unsafe levels of fatigue
- reassessing higher-risk tasks when alertness is likely to be reduced, and changing how the work is done if needed (for example delaying work, rotating tasks, increasing rest, changing work methods or supervision)
- having clear processes for workers to report fatigue early, and responding promptly to prevent unsafe work, such as pausing work or reallocating tasks
- make sure workers are trained to recognise fatigue, understand how work organisation and manual demands contribute to fatigue, and know when and how to stop work.

3.6.9 For more information, see Fatigue | WorkSafe.

Noise

How noise affects safe vehicle operation

3.6.10 Noise from vehicles and attached machinery can make it harder to:

- hear warnings or instructions
- notice approaching vehicles
- hear livestock movement
- pick up changes in engine sound that signal a problem.

3.6.11 This can increase the risks of collisions, runovers and delayed reactions while operating vehicles.

3.6.12 Noise is hazardous when it reaches 85 decibels (dB) or more averaged over 8 hours, or a peak noise level over 140 decibels (dB). If people have to raise their voices or shout to be heard in a conversation, the noise level may be too high.

3.6.13 You **must**, so far as is reasonably practicable, make sure that employees are not exposed to noise levels that are:

- 85 dB(A) decibels averaged over 8 hours, or
- a peak noise level over 140 dB (unweighted).

This duty always applies, whether or not your employees are wearing hearing protection.

How can you manage the risks from noise?

3.6.14 To manage the risks from noise:

- **identify noisy tasks/machinery.** Identify tasks where workers have to raise their voice(s) or shout to be heard, or where attached machinery is known to generate high noise (for example, tractor work at high engine speed). You do not need specialist noise monitoring to identify obvious high-noise tasks
- **apply control measures in order until noise exposure is below thresholds.** Measures should be applied in this order:
  - eliminate the noise source where reasonably practicable (for example, stop using a noisy machine/process)
  - minimise exposure (for example, quieter attached machinery, silencers/enclosures, maintain attached machinery, keep others out of high-noise areas, reduce exposure time)
  - provide hearing protection only after other reasonably practicable steps are taken.
- **use noise measurement where needed.** Use formal noise monitoring where it is not clear whether noise exposure exceeds legal limits, where workers are exposed for long periods, or where changes to attached machinery, work practices or complaints suggest noise risks may be higher than expected

- **provide adequate training and supervision.** Make sure workers know when noise control measures apply, how to use hearing protection properly, and how to report issues (for example, failed mufflers, damaged cab seals).

3.6.15 When providing hearing protection to your workers, make sure that:

- it is the right fit for the worker
- it is providing the right level of protection for the noise levels they will be exposed to. Avoid overprotection - requiring hearing protection when there is no risk or requiring hearing protection that blocks out more noise than necessary
- workers are trained in how to correctly wear, clean, and store their hearing protection (for example, earmuffs will not provide proper protection if they are worn over hoodies)
- any new risks are also managed. Hearing protection can restrict both a worker's awareness of what is around them, and their ability to communicate (such as workers not being able to hear approaching vehicles or other traffic while wearing hearing protection).

3.6.16 For more information, see Resources to manage noise | WorkSafe.

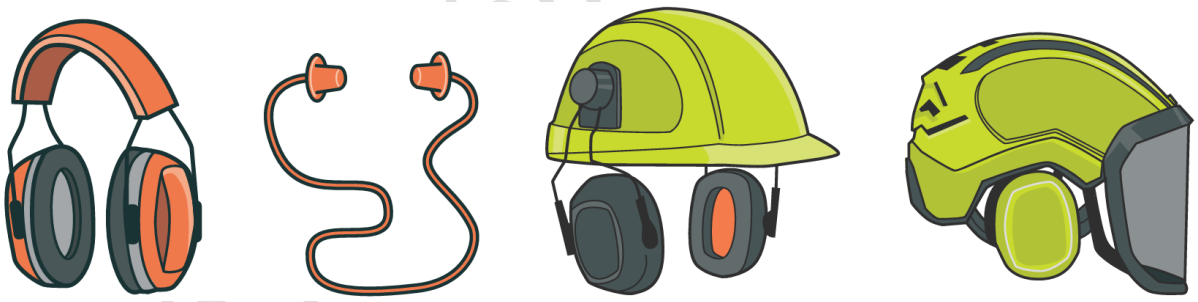


Figure 1: Examples of hearing protection

Extreme temperatures

How temperature affects vehicle safety

3.6.17 Because farms are outdoors, farm workers are particularly vulnerable to the effects of working in extreme temperatures.

3.6.18 Working in very hot or cold conditions can affect concentration, reaction time and coordination. This can increase the risk of losing control of vehicles, especially during long or demanding jobs.

How can you manage risks from working in extreme heat or cold?

3.6.19 To manage risks from working in extremely hot or cold environments:

- **identify when temperature creates a health risk.** Identify days/tasks where heat or cold exposure is likely (for example, summer outdoor work, high humidity, winter frosts, wind, night work)
- **plan work to reduce exposure.** Where temperature creates a risk, plan work to reduce exposure (for example schedule for cooler/warmer times where practicable, rotate tasks, provide rest breaks and rest areas away from heat/cold)
- **provide suitable vehicles and facilities.** Make sure vehicles and work set-up support safe work in the conditions (for example, vehicle cabs/controls suited to conditions where relevant, shelter from wind/rain, shade where needed)
- **provide adequate training and instruction.** Train workers to recognise early signs of heat/cold illness in themselves and others and what to do (stop, cool/warm, seek help)
- **provide PPE when you have taken all reasonably practicable steps to minimise the risk, and risk still remains.** Where PPE is needed, make sure it is provided and is appropriate. Do not rely on PPE alone if other reasonably practicable control measures can minimise the risk. For more information on PPE requirements, see Personal protective equipment (PPE) | WorkSafe.

3.6.20 For more information, see Working safely in extreme temperatures | WorkSafe.

4.0 The operating environment – what to check before and during work

4.1 What does this section cover?

4.1.1 This section sets out the minimum checks and actions to manage risks arising from the farm operating environment when vehicles and attached machinery are used.

4.1.2 This section covers:

- ground conditions and access routes
- weather, visibility and severe weather
- working around people, animals and other activity
- working near public roads and areas used by the public (including entrances and accessways).

What are your legal duties?

4.1.3 A PCBU who manages or controls a workplace **must** ensure, so far as is reasonably practicable, that the workplace, the means of entering and exiting the workplace, and anything arising from the workplace are without risks to the health and safety of any person.

4.1.4 For a PCBU conducting a farming business or undertaking, a workplace also includes any land, building, vehicle, vessel, aircraft or other mobile structure used for the farming operation.

What to do before and during work

Pre-start operating environment check

4.1.5 Before starting work, check the operating conditions and make sure they are safe for the vehicle, the task and the operator.

4.1.6 Do not start work if conditions mean the vehicle cannot be operated safely (for example, ground conditions are unstable, visibility is too poor to see hazards, or people cannot be kept away from the vehicle's operating area).

Monitor conditions during work

4.1.7 During work, keep monitoring operating conditions.

4.1.8 Monitoring needs to lead to action. If conditions change in a way that increases risk, stop and respond as set out below.

If conditions change - stop and reassess

4.1.9 If conditions change in a way that could increase risk (for example ground becomes softer, visibility reduces, people enter the area):

- pause the task, and
- reassess whether the vehicle, the task, and the current control measures still allow the job to be done safely.

4.1.10 Do not continue work unless you can keep risks controlled under the new conditions.

If risks cannot be controlled - change or stop work

4.1.11 If risks cannot be eliminated or minimised so far as is reasonably practicable, change how the work is done or stop the task.

4.1.12 For example:

- change the route to avoid steep or soft ground
- use different equipment better suited to the conditions
- delay the task until conditions improve
- stop the task if conditions remain unsafe.

Ground and access

4.1.13 Ground conditions and access routes can quickly change how stable and controllable a vehicle is. Steep slopes, soft ground, damaged tracks and working near edges increase the risk of rollovers, loss of control and vehicles sliding into drains or waterways.

Before starting work (and if conditions change)

4.1.14 Check:

- whether the ground is steep, uneven, soft, muddy or slippery
- whether tracks are narrow, rutted, damaged or hard to see around
- how close you will be working to drains, waterways, banks or edges
- whether there are overhead or underground services, such as power lines, cables, gas or water, including required clearance distances and exclusion zones when operating vehicles or attached machinery

- bridges, culverts and crossings, including load capacity, condition, width and edge protection
- whether recent weather or stock movement has changed conditions.

Figure 2: Ground conditions to check

If risks are present

4.1.15 If ground or access risks are present (for example the ground is too soft to safely support the vehicle, tracks are damaged or narrow, or there is a risk of sliding toward a drain or bank):

- avoid the area or use a safer route
- delay work until conditions improve
- repair, improve or maintain tracks and accessways, where reasonably practicable
- change the method or vehicle or attached machinery being used.

4.1.16 Do not continue if the vehicle cannot be operated in control or the ground cannot safely support it.

Weather, visibility and severe weather

Weather and visibility

4.1.17 Weather and light conditions affect traction, visibility and how alert operators are. Rain, frost, wind, heat and low light can make vehicles harder to control, reduce visibility and increase the chance of mistakes or crashes.

Figure 3: Checking the weather conditions now and forecast for the day

Before starting work (and when conditions change)

4.1.18 Check:

- the current weather and the forecast for the day
- whether rain, frost, heat or wind could affect traction, control or fatigue
- whether the work will be done early, late or during times with better visibility.

If risks are present

4.1.19 If weather or visibility risks are present (for example poor visibility due to fog or low light, slippery ground from rain or frost, or strong winds affecting vehicle control):

- plan work for daylight to maintain clear visibility wherever reasonably practicable
- slow down or stop work when visibility is poor and hazards cannot be clearly seen
- stop or delay work if conditions make the job unsafe.

Severe weather conditions

4.1.20 Severe weather events such as storms, flooding, high winds, extreme heat or cold can quickly make work unsafe. They can flood areas, damage tracks, bring down trees or debris and block safe access.

4.1.21 Working long hours in tough conditions or extreme temperatures can also cause fatigue. When people are tired, it is harder to focus, react quickly and operate vehicles and attached machinery safely. For more information on fatigue, see Section 3.6.

Before starting work (and if conditions change)

4.1.22 Check whether:

- there are severe weather warnings for your area
- flooding, slips, fallen trees or damaged tracks could affect where your workers are working
- access routes could become unsafe or cut off
- your workers are becoming tired or struggling to stay alert.

If risks are present

4.1.23 If severe weather risks are present (for example severe weather warnings, flooding or slips affecting access routes, fallen trees or debris blocking tracks or workers becoming fatigued in extreme conditions):

- delay or stop non-essential work until conditions are safe
- avoid hazardous areas or use safer routes
- make sure workers take more breaks, rotate tasks or shorten work periods to manage fatigue.

4.1.24 For more information, see Working in extreme outdoor conditions | WorkSafe.

4.2 People, animals and other activity

4.2.1 Working around people and livestock increases the risk of vehicles and attached machinery hitting, crushing or running over someone, or injuring animals. These risks are higher when visibility is limited, areas are busy or livestock move unpredictably.

Before starting work (and as things change)

4.2.2 Check:

- who else is on the farm and where they are working
- whether vehicles and attached machinery will be operating near people on foot
- how livestock movement could affect the work
- whether children or visitors are present, especially in yards or work areas.

If risks are present

4.2.3 If risks are present (for example people working on foot nearby, livestock moving unpredictably, children or visitors present, or busy areas with limited visibility):

- separate people and vehicles wherever reasonably practicable
- use clear systems so everyone knows when vehicles are operating
- slow down, use spotters where needed, and stop work if people cannot be safely separated in yards, sheds and busy areas.

4.3 Working near public roads and areas used by the public

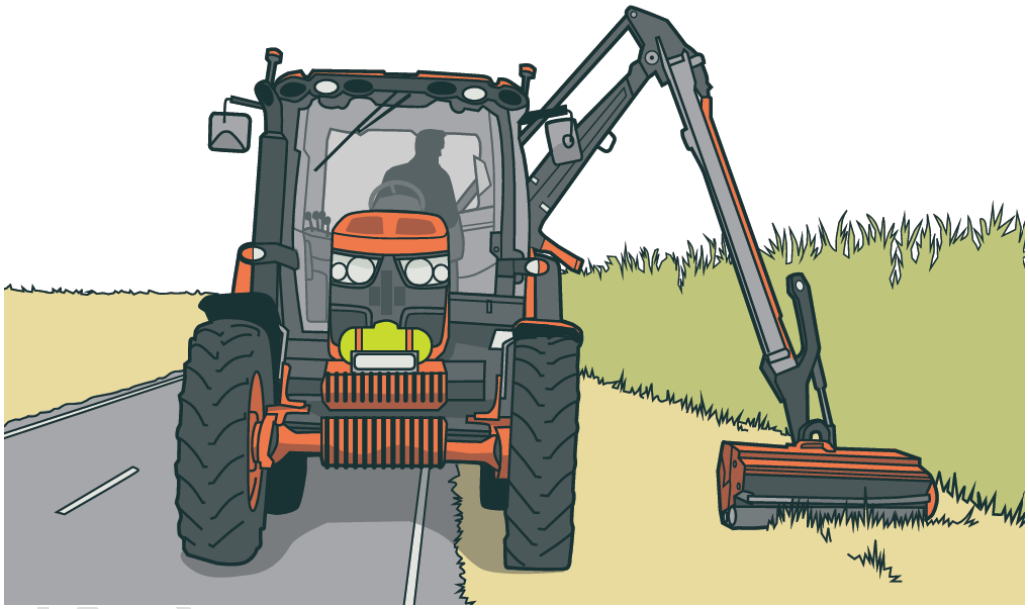


Figure 4: Tractor working on a public road

4.3.1 Areas used by the public include entrances, accessways, and places where visitors or other road users may be present.

4.3.2 Farm vehicles and attached machinery moving along or across public roads increase the risk of collisions with other road users and harm to the public, especially when speeds, visibility and vehicle size differ.

4.3.3 In some situations, roadsides and road margins may be part of the workplace when work is being carried out there.

4.3.4 A PCBU **must**, so far as is reasonably practicable, ensure that the health and safety of other people (including members of the public) is not put at risk by the work they do.

Before starting work near a public road

4.3.5 Before starting work, make sure that vehicle movements to, from, across or along a public road will not put workers or other people at risk.

4.3.6 This includes checking:

- whether farm vehicles or attached machinery will be using or crossing public roads
- sight lines, speed environment and traffic volumes, including peak times
- safe entry and exit points such as driveways, gates and loading areas
- whether you will need to reverse, turn or manoeuvre oversized equipment
- whether loads or attachments affect vehicle width, length or visibility when entering or exiting farm access points
- whether work will be carried out on or near a public road for extended periods, and whether temporary traffic management are needed to protect workers and road users.

Where risks are present - manage or change the work

4.3.7 If risks are present (for example, limited sight lines, high traffic volumes, reversing or manoeuvring oversized equipment, or vehicles entering or crossing public roads), do not proceed unless effective control measures are in place to protect workers and other road users.

4.3.8 Actions may include:

- schedule work for times with less traffic or when visibility is better
- use control measures such as warning signs (see Figure 5 for examples), flashing lights or a spotter, where traffic volumes are low and movements are short-duration and predictable. On a quiet rural road with low traffic volumes, a tractor briefly crossing the road to access another paddock may be managed using warning signs and a spotter
- use a spotter or traffic-control support when visibility is limited, movements are complex, or vehicles need to reverse or manoeuvre across traffic
- use formal traffic management where work occurs on or near busy roads, higher-speed roads, or for extended periods, or where your usual control

measures are not enough to manage the risk. On a busy highway or higher-speed roads, or where vehicles are entering and exiting repeatedly, formal traffic management will help protect workers and road users

- use safe procedures for crossing, turning and entering or exiting the road.

4.3.9 If risks to workers or road users cannot be adequately controlled, delay, change or stop the work.

Figure 5: Examples of signs to use when working near or on a public road

4.3.10 Where other PCBUs have the same duty in relation to the same matter (such as contractors), you **must** consult, cooperate and coordinate work so far as reasonably practicable.

4.3.11 For example, making sure traffic and roadside risks are managed, and control measures are clear.

4.3.12 For more information, see Keeping healthy and safe while working on the road or roadside | WorkSafe.

5.0 Safely operating farm vehicles and attached machinery

5.1 Managing risk while operating vehicles and attached machinery

Changing conditions and increased risk

5.1.1 Farm vehicles and attached machinery are used across many different activities and environments. Terrain, weather, livestock behaviour, visibility and workload can change quickly and affect stability, control and decision making.

5.1.2 Many serious incidents happen when workers keep going even though conditions have changed.

5.1.3 The risk of losing control, rolling over or hitting people or objects increases when:

- terrain becomes steeper, softer or more uneven
- visibility is reduced by dust, long grass, shade or low light
- livestock or people move unpredictably
- loads, trailers or attachments change how the vehicle handles
- work continues when workers are tired, rushed, distracted or under pressure.

Responding to changing conditions

5.1.4 If conditions change in a way that could increase risk, do not continue work unless the risks can still be eliminated or minimised so far as is reasonably practicable.

5.1.5 This requires pausing the task and actively reassessing whether:

- the vehicle remains suitable for the task and conditions
- the way the work is being done remains safe
- existing control measures are still effective.

5.1.6 If risks cannot be eliminated or minimised so far as is reasonably practicable, make sure one or more of the following actions is taken:

- change how the work is done, including the route, speed, load, attachment, or equipment used
- delay the task until conditions improve, or

- stop work.

Example 1: Changing routes and stopping when conditions increase risk

Sam is mustering with a trailer attached when he finds the usual farm track blocked. He takes an alternative route, but the ground is wet, visibility is poor, and parts of the route are sloping and unfamiliar.

The farm's operating rules require operators to stop and reassess if conditions change in a way that could affect stability or control, particularly when towing. Sam stops and considers how the trailers could push the vehicle on the slippery ground, especially on the slopes.

Sam decides the risks cannot be managed safely. He drops the trailer, delays the job until conditions improve, and lets the farm manager know that the alternate route becomes unsafe in wet conditions so it can be avoided or reassessed in future.

Worker engagement

A worker can stop or refuse to do work

5.1.7 A worker can stop work or refuse to carry out work if they believe that doing the work would expose them, or any other person, to a serious risk to health or safety from an immediate or imminent hazard.

5.1.8 A worker who has stopped work **must**:

- as soon as possible, tell the PCBU that they have stopped work, and
- remain available to carry out suitable alternative work.

5.1.9 Support workers to raise health and safety concerns and stop or refuse work when necessary, without fear of negative consequences.

5.1.10 Supporting workers does not remove your responsibility to address the health and safety risk that led to the work being stopped.

5.2 Choosing the right vehicle for today's job

What this section covers

5.2.1 This section sets out minimum requirements for choosing a farm vehicle that can be operated safely for a task and the conditions in which it will be used.

5.2.2 Choosing the right vehicle for the task is one of the most effective ways to reduce serious injury risks from farm vehicle use, including crashes, rollovers and loss of control. The safest vehicle may not be the quickest or most convenient one to use.

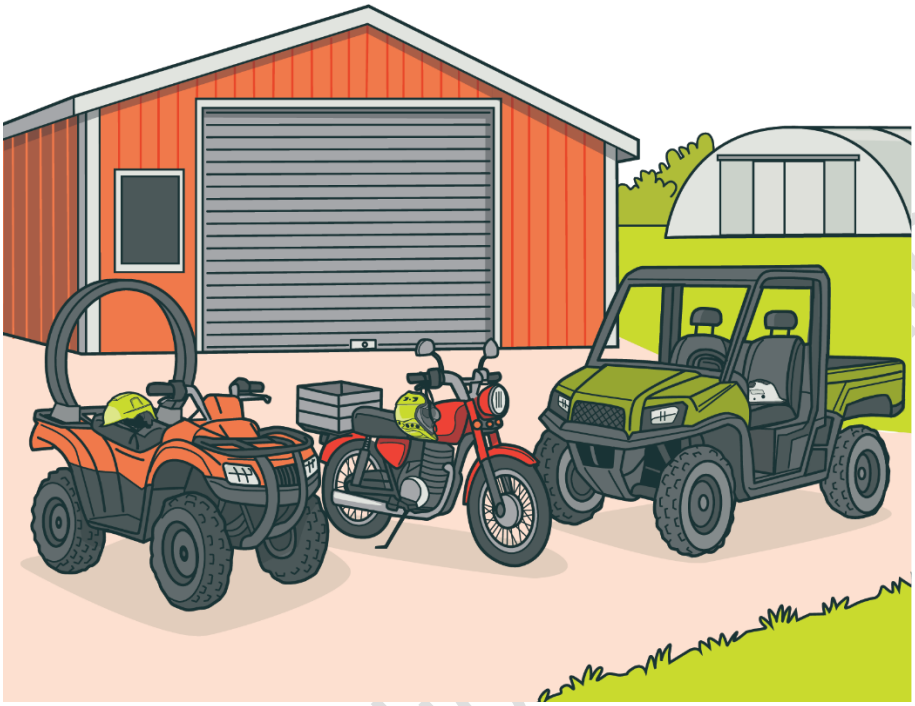


Figure 6: Choosing the right vehicle for the job

Vehicle suitability

5.2.3 Before starting a task, make sure the vehicle you choose is suitable for the task and conditions and allows the person operating it to remain in control while the work is carried out.

5.2.4 This includes making sure the vehicle's:

- design and intended use fit the task
- stability, braking and handling are appropriate for where it will be used
- capacity allows it to safely carry any required loads, passengers or attachments
- suspension, seating and ride characteristics are suitable for the terrain and duration of use, so the operator can remain in control and is not exposed to excessive vibration.

Highest level of protection

5.2.5 If more than one vehicle could be used for a task, use the vehicle that provides the highest level of protection against serious injury for the task and conditions, so far as is reasonably practicable.

Do not use a vehicle for a task if:

5.2.6 Do not use a vehicle if:

- it is not in full safe operating condition
- the operator does not have the skills and experience to safely operate the vehicle in the terrain or conditions
- the vehicle is not designed to safely carry the required load, passengers or attachments
- the task or conditions would reduce the vehicle's stability or the operator's ability to control it.

5.2.7 If any of these apply, the vehicle is not suitable for the task.

Changes during work

5.2.8 If conditions change, stop and reassess whether the selected vehicle is still suitable for the task and conditions.

5.2.9 If it is no longer suitable, change the vehicle, change how the work is done, delay the task, or stop work.

Figure 7: Quad bike with loaded feeder trailer

Example 2: Towing and choosing the right vehicle

Jamie needs to move a loaded feeder trailer across uneven paddocks and up a short incline. The farm provides different vehicles for different towing tasks and has clear rules about which vehicles are suitable for heavier loads and steeper terrain.

After checking the job and conditions, Jamie decides the quad bike is not suitable for towing the feeder safely. Instead, Jamie uses the tractor, which is designed and rated for heavier towing and better control on uneven ground.

By choosing a vehicle that is suitable for the load and conditions, Jamie reduces the risk of loss of control or rollover during the task.

5.3 Before operating a vehicle – checks that apply to all vehicles

Fit for the operator

5.3.1 Make sure that vehicles and tasks are suitable for a worker's age, skill and experience.

5.3.2 Make sure workers can safely operate the vehicles for the specific task, terrain and conditions, and supervise them until they have shown they can do this safely.

5.3.3 Do not allow a worker to operate a vehicle if they:

- are not trained or familiar with it
- have not been assessed as able to safely operate the vehicle in the terrain and conditions they will be working in
- believe the vehicle is unsafe to use for the task
- are tired, stressed or unable to focus
- are affected by heat or sun exposure in a way that causes discomfort, distraction or reduced concentration
- are under the influence of alcohol or drugs
- are taking medication that affects alertness.

5.3.4 Provide close supervision for young or inexperienced workers until they can operate vehicles safely on their own.

Pre-start checks

5.3.5 Before use, check the vehicle or attached machinery is free of faults that affect safety. At a minimum, check:

- for visible damage, wear or changes that could affect safety, stability or control, including any modifications that are damaged, uncertified or not approved for the vehicle or attached machinery
- tyres, wheels or tracks, including pressure, damage and fit
- steering, brakes and controls
- seating, steering and controls can be adjusted and are adjusted for the operator, and are in good condition so they do not increase vibration or reduce safe control
- fuel, oil and fluid levels

- visibility, including lights, mirrors, cameras and windscreens, and whether glare from sunlight could reduce the operator's ability to see hazards
- load security and weight distribution
- safety features, such as seatbelts, helmets, crush protection devices, rollover protective structures, guards, nets or doors
- safe access to and from the vehicle or attached machinery is provided, including steps and handholds that are in good condition
- attachments, hitches, tow points and connections
- appropriate power take-off (PTO) shafts and outlets are properly capped when not in use, for all vehicles fitted with a PTO
- that the area is clear and children are a safe distance away before starting the engine.

5.3.6 If anything is unsafe or not working properly, do not use the vehicle until it has been fixed and checked by a competent person.

5.3.7 A competent person is someone who can consistently show the skill and knowledge, gained from experience and/or training, for the type of work they are tasked to do.

Manufacturer limits

5.3.8 Make sure vehicles and attached machinery are used within the manufacturer’s limits, including:

- maximum load and towing capacity
- passenger numbers
- approved attachments or configurations (make sure any modifications are certified by an appropriate Chartered Professional Engineer (CPEng))
- tyre type and pressure
- terrain and slope suitability (including limits related to ride, suspension and vibration exposure)
- required safety features, such as seatbelts, crush protection devices, rollover protective structures, guards, warning lights, nets or doors.

5.3.9 Using vehicles beyond their design limits greatly increases the risk of rollover, loss of control or mechanical failure.

Protective equipment

5.3.10 Helmets and seatbelts save lives.

5.3.11 Make sure seatbelts are worn whenever they are fitted to vehicles or machinery.

5.3.12 Make sure operators wear an approved protective helmet (see next section) when operating quad bikes, side-by-sides and two-wheel motorbikes. Check that the helmet fits properly, is in good condition, and meets recognised safety standards (see next section).

Approved protective helmets

5.3.13 When farm vehicles overturn, crash or lose control, operators are at risk of serious head injury. Wearing an approved protective helmet is a key control to reduce the severity of injury when using quad bikes, side-by-side vehicles and two-wheel motorbikes.

5.3.14 Providing and making sure suitable helmets are worn supports your duty to manage risks so far as is reasonably practicable.

5.3.15 An approved protective helmet is a helmet that:

- is designed for motorbike, quad bike or side-by-side use
- fits the operator properly, is securely fastened, and is in good condition, and
- meets a recognised New Zealand or equivalent international safety standard appropriate to how and where the vehicle is being used.

5.3.16 For farm work, this means:

- a motorbike helmet that meets New Zealand Standard NZS 5430 or an equivalent international standard, or
- when travelling off-road at farm (generally under 30 km/h), an ATV helmet that meets NZS 8600:2002, or an equivalent international standard.

5.3.17 Make sure helmets are worn correctly at all times when operating quad bikes, side-by-sides and two-wheel motorbikes and replace helmets if they are damaged, involved in an impact, or no longer fit properly.

5.3.18 Make sure helmets and any eye protection used with them do not restrict vision, cause overheating, or discourage consistent use during hot or sunny conditions.

5.3.19 Wearing a helmet does not remove the need to manage other vehicle risks, including stability, speed, terrain the operator's ability to safely operate the vehicle and environmental conditions such as heat and sunlight.

5.3.20 See Figure 8 for examples of approved protective helmets.

Figure 8: Examples of approved protective helmets

5.3.21 For more information, see Protective clothing | WorkSafe.

5.4 Safe use that applies to all farm vehicles

What this section covers

5.4.1 This section sets out minimum requirements for the safe use of farm vehicles that apply regardless of vehicle type. These requirements focus on risks that can be clearly identified and managed.

Load limits and vehicle suitability

5.4.2 Make sure vehicles are not overloaded and are only used for tasks they are designed and rated for.

5.4.3 Overloading or using vehicles outside their intended purpose can reduce stability, control and braking and increase the risk of rollovers and run-overs.

Mounting and dismounting vehicles

5.4.4 Make sure that:

- operators do not get on or off vehicles while they are moving
- safe access to and from the vehicle or attached machinery is used, including using steps and handholds provided by the manufacturer.

5.4.5 Where practicable, operators should maintain three points of contact when mounting or dismounting.

Children and farm vehicles

5.4.6 Make sure that:

- children do not ride on tractors, quad bikes, side-by-sides or the backs of utes, unless the vehicle is specifically designed to carry passengers
- vehicles and machinery not intended for child use have keys removed when not in use
- children travelling in cars, utes or trucks are restrained in appropriate seats and seatbelts.

5.4.7 For more information, see Children and young people on farms | WorkSafe.

Hazardous substances (including fuels)

5.4.8 Make sure fuels and maintenance substances (such as oils, lubricants, degreasers) are handled, stored and used in a way that minimises exposure, fire risk and spills.

5.4.9 For more information, see Hazardous substances | WorkSafe.

When to stop work

5.4.10 Make sure work stops if:

- conditions become unsafe
- visibility is lost
- operators are unsure of the terrain ahead
- fatigue or distraction affects their focus.

5.4.11 Stopping work, even briefly, can prevent serious incidents.

5.5 Managing risks by vehicle type

5.5.1 Every farm vehicle has different risks and should be set up and used safely in different ways.

Quad bikes

Figure 9: Quad bike

5.5.2 Quad bikes are widely used on farms but are involved in many serious incidents, including rollovers that can cause fatal crush injuries.

5.5.3 Quad bike stability is affected by slopes, uneven terrain, tyre pressure, load placement and riding technique.

5.5.4 An approved protective helmet, correct tyre pressure and a well-maintained quad bike helps reduce the risk of serious injury.

5.5.5 Talk with workers about when quad bikes are, or are not, suitable for the job. Use where reasonably practicable.

Safe setup

5.5.6 Take the following actions to help maintain quad-bike stability and reduce the risk of loss of control and rollover, which can result in serious crush injuries:

- set up the quad bike according to the manufacturer's instructions
- fit a crush protection device (CPD) when using quad bikes for work
- make sure any CPD fitted is compatible with the quad bike and does not reduce stability or create new risks, and is installed and maintained in accordance with the manufacturer's instructions
- keep tyre pressures equal and set to the manufacturer's recommended pressure
- maintain the quad bike so it stays safe to operate, including brakes, steering and throttle response
- make sure loads stay within the vehicle's rated capacity, are positioned low and evenly distributed, and are secured so they cannot shift during operation

- make sure loaded spray tanks stay within the manufacturer's load weight limits. Where reasonably practicable, use baffles in spray tanks
- where reasonably practicable, use engineering control measures to help prevent loss of control or rollovers, for example speed limiters, GPS based monitoring and roll or stability detection technology.

A CPD helps reduce the risk of serious injury by limiting the likelihood of an operator being crushed or pinned if a quad bike overturns. Fitting a CPD does not replace the need to manage other rollover risks, including terrain, loading, speed and vehicle condition.

Safe use

5.5.7 Take the following actions to manage the risk of quad bikes losing stability or overturning, which can result in serious injury or death:

- always wear an approved protective helmet and boots
- make sure quad bikes are not operated on steep slopes, drop offs or saturated ground where stability and control are reduced
- use active riding techniques and shift body weight to stay balanced
- match speed to terrain and load
- always look well ahead when operating the quad bike
- do not carry passengers
- do not carry animals on the quad bike if it affects stability or control, for example holding a sheep or lamb across your lap.

Children operating quad bikes for work tasks

5.5.8 Do not let children under 16 years of age ride adult sized quad bikes.

5.5.9 Where children under 16 are involved in work tasks, make sure they are using age-appropriate and appropriately sized (physical size and weight) quad bikes designed for them.

5.5.10 Make sure children:

- are trained and able to safely ride the quad bike before riding on their own
- always wear an approved protective helmet and boots
- do not carry passengers
- do not carry loads that could affect stability or control

- have clear limits, including speed restrictions, where they can ride and what terrain they can use
- learn safe habits early, because unsafe habits can be hard to change later.

Side-by-sides

Figure 10: Side-by-side

5.5.11 Side-by-sides provide greater load capacity and rollover protection than quad bikes, but they are only safe when seatbelts, nets or doors are used correctly and the vehicle is operated within its limits.

5.5.12 **A rollover protective structure (ROPS), a helmet and a seatbelt, used together,** provide the primary protection in a rollover (see next section).

Safe setup

5.5.13 Take the following actions so side-by-side vehicles are set up for rollover protection systems to work as intended and to minimise the risk of serious injury in a rollover or loss-of-control event:

- make sure appropriate ROPS are fitted and in good condition
- make sure seatbelts are in good condition, working and always used by the driver and passengers
- make sure nets or doors are fitted, secured and correctly maintained
- make sure drivers and passengers always wear an approved protective helmet

- make sure loads stay within the rated capacity and are secured so they cannot shift during operation
- keep the footwell clear and do not carry loads in it
- check brakes, steering and tyres regularly.

Safe use

5.5.14 Take the following actions to manage the risk of loss of control, rollover and ejection from the vehicle, which can result in serious injury or death:

- do not let anyone under the age of 16 operate a side-by-side
- make sure operators slow to a speed that lets them stay in full control on uneven or sloping ground
- keep arms and legs inside the cab at all times
- apply the park brake when stopped
- when parking on hills, turn the front wheels into the bank or uphill if driving across a slope to help prevent rollaway.

Passengers

5.5.15 Only carry passengers in fitted seats with seatbelts. This helps prevent passengers being thrown from the vehicle or injured during sudden stops or rollovers.

5.5.16 Make sure passengers are seated, restrained and wearing approved protective helmets before moving off. Make sure children can sit securely and are correctly restrained.

5.5.17 Warn passengers not to touch the accelerator pedal. Take extra care when loading and unloading so no one accidentally engages the throttle.

Example 3: Safety gear making a difference

Moana and her workmates are using a side-by-side to carry tools and materials around the farm. The farm's rules require seatbelts and helmets to be worn whenever the side-by-side is operating, and workers are trained to check that nets and doors are secured before moving off.

While travelling along a farm track, the side-by-side hits an unexpected rut and rolls onto its side at low speed. Because everyone is wearing their seatbelts and helmets and remains inside the cab, no one is seriously injured.

The vehicle is taken out of service and the incident is reviewed before work resumes.

Two-wheel motorbikes

Figure 11: Two-wheel motorbike

5.5.18 Two-wheel motorbikes are agile and effective for stock work, but they require balance, skill and full attention. They are less stable than vehicles with more wheels and offer limited protection to the rider in the event of a loss of control.

Safe setup

5.5.19 Take the following actions to reduce the risk of loss of control, falls and collisions, which can result in serious injury or death:

- make sure bikes are the correct size for the operator
- make sure tyres are suitable for the terrain and set to the manufacturer's recommended pressure for the conditions and load
- make sure brakes, the chain, lights and the throttle are maintained
- wear supportive footwear with good grip and ankle support.

Safe use

5.5.20 Take the following actions to help maintain control of the motorbike and reduce the risk of falls, collisions and rider ejection:

- always wear an approved protective helmet and boots
- do not carry passengers or loads unless the motorbike is designed and rated for them
- use smooth acceleration and braking
- reduce speed on wet or uneven ground
- stop before communicating or checking stock
- look well ahead when riding.

Utes and four-wheel drives (2WD and 4WD)

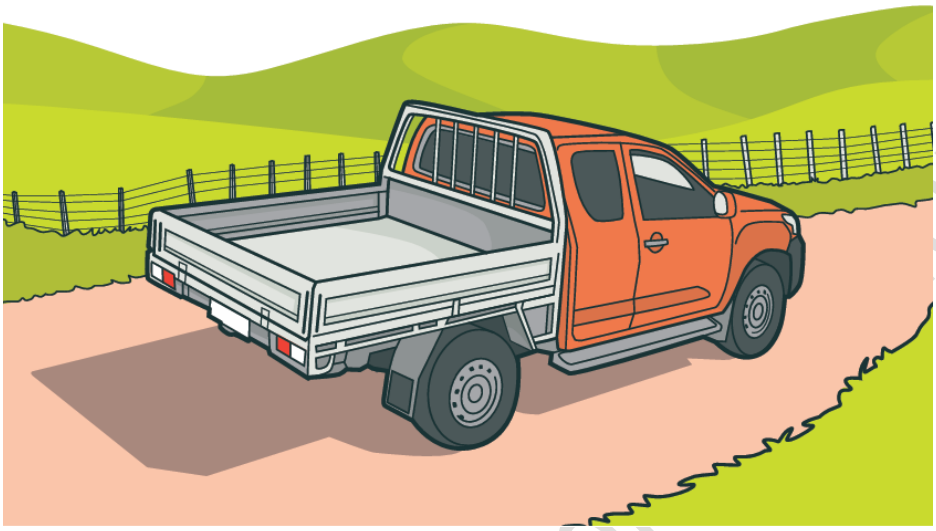


Figure 12: Ute

5.5.21 Utes and 4WDs are commonly involved in incidents linked to speed, loading, reversing visibility and passenger behaviour. Some farms use 2WD utes for lighter jobs, but these have less traction off-road.

Safe setup

5.5.22 Take the following actions to reduce the risk of rollovers, load shift, vehicle failure and people being struck or ejected:

- do not carry passengers in trays
- secure loads within the vehicle and towbar limits
- use compatible tow balls and couplings
- maintain critical safety systems (such as brakes, steering, lights and tyres) to a safe, roadworthy standard, even if the vehicle is only used off-road
- make sure tyres are suitable for the terrain and set to the manufacturer's recommended pressure for the conditions and load.

Safe use

5.5.23 Take the following actions to maintain control of the vehicle and reduce the risk of collisions, rollovers, rollaway and people being struck:

- use the correct drive mode, for example low range 4x4 when operating off road

- if using 2WD, avoid steep, wet or soft ground where traction is reduced, especially when towing
- make sure drivers slow down to maintain control when travelling on uneven, loose or gravel farm tracks
- slow down near houses, yards and areas where people or animals may be present
- when stopped, apply the park brake before dismounting
- use mirrors and cameras when reversing, but do not rely on them entirely
- get help when visibility is limited
- only carry passengers in fitted seats with seatbelts
- make sure children use car seats and seatbelts when travelling in cars, utes and trucks.

Tractors

Figure 13: Tractor

5.5.24 Tractors are essential for many farm tasks, but they are also involved in serious injuries and fatalities. Many incidents happen during routine work such as towing trailers, using front-end loaders, working on slopes or hitching implements.

5.5.25 **A ROPS and a seatbelt, used together**, provide the main protection against serious or fatal injury in a rollover (see next section).

Safe setup

5.5.26 Take the following actions to reduce the risk of rollovers, entanglement, being struck, and loss of control during normal tractor operations:

- make sure appropriate ROPS are fitted and in good condition

- make sure seatbelts are in good condition, working and used appropriately
- make sure appropriate PTO guards are fitted and refitted after removal, including for front and rear-mounted PTOs (see Figure 14)
- make sure PTO shafts and outlets are properly capped when not in use
- make sure tyres, ballast and wheel settings suit the task and terrain
- make sure brakes, steering and controls are working correctly
- make sure hitching points and hydraulics are present, the right size and in good condition
- make sure implements match the tractor's capacity
- secure loose items in the cab
- make sure the operator understands the controls and can safely use any attachments.

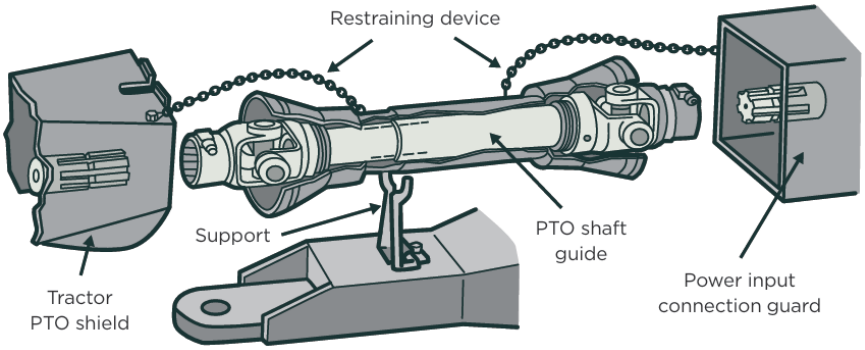


Figure 14: Example of a PTO guard

5.5.27 Front-end loaders affect stability. Remove the loader when it is not needed, where reasonably practicable. If the loader is removed, make sure front weight is used where needed to maintain safe balance for the task.

Safe use

5.5.28 Take the following actions to maintain stability and control and reduce the risk of rollovers, run-overs, entanglement and people being struck:

- do not carry passengers unless the tractor has a fitted passenger seat
- make sure young workers only ride on or operate tractors when allowed under regulations (see Section 6.5) and when appropriate training, supervision and suitable tasks are in place
- make sure seatbelts are worn whenever the tractor is moving
- keep children well away from moving tractors

- use an amber flashing beacon to improve visibility when operating on or near public roads
- make sure loads stay within the rated capacity, are positioned low and evenly distributed, and are secured so they cannot shift during operation
- travel straight up and down slopes where possible
- use an appropriate lower gear before starting on slopes
- avoid sharp turns or sudden braking
- tow only within the rated capacity
- lower loaders and implements when parking
- when stopped, apply the park brake before dismounting.

Example 4: Loads and slopes affecting control

Ari is moving a pallet of fencing materials using a tractor and front-end loader. As the ground becomes wetter and the route steeper, Ari notices the raised load is affecting the tractor's stability.

The farm's operating procedures require operators to stop and change the job if a load or slope reduces stability. Ari stops, lowers the load closer to the ground, and changes to a flatter route.

By adjusting how the work is done, Ari is able to continue the task safely without increasing the risk of rollover.

5.6 Higher-risk tasks and how to manage them safely

5.6.1 Some tasks create higher risks no matter what farm vehicle is used. This section explains common higher-risk tasks, such as towing, spraying, working near water and operating near public roads, and what to check to keep people safe.

5.6.2 Before starting higher-risk tasks, confirm roles, responsibilities and communication arrangements with everyone involved.

Towing and attachments

5.6.3 Towing trailers and using attachments can reduce vehicle stability and control and increase the risk of rollovers, run-overs, entanglement and loss of braking effectiveness.

5.6.4 Take the following actions to manage these risks:

- stay within towing limits
- make sure couplings, pins and guards are present, the correct size, compatible with each other and in good condition, with no obvious damage or unauthorised modifications
- use safety chains and breakaway braking systems where they are required or fitted, and make sure they are correctly connected and working
- make sure loads stay within the rated capacity, are positioned low and evenly distributed
- secure loads using appropriate load-securing systems, such as strops, chains, ropes or enclosed cabinets, so they cannot shift during operation
- slow down before downhill travel to maintain control when towing or carrying loads
- regularly inspect towing equipment, including couplings, pins, safety chains, brakes and attachment points and remove damaged or worn equipment from use
- make sure PTO guards are in place, in good condition, and not damaged or modified, and never step over a rotating PTO shaft
- before hitching or working near PTO shafts, stop, apply the park brake, lower attachments, shut off the engine and remove the key
- agree clear signals and communication between the operator and the person guiding the attachment and stop if unsure.

Example 5: Towing and thinking ahead

Alex is towing a trailer of fertiliser using a tractor. Before starting the job, the work plan requires checking the route, including any steep or downhill sections, and adjusting the load if needed.

When Alex reaches a downhill section of the track, he recognises that the trailer weight could push the tractor and reduce braking control. Alex reduces the load and takes a flatter route instead.

This allows the job to be completed while maintaining control of the vehicle and minimising the risk of a run-away or rollover.

Spraying and spreading

5.6.5 Spraying and spreading can increase rollover risk due to shifting loads, raised centres of gravity and changes in terrain.

5.6.6 Take the following actions to manage these risks:

- make sure loads stay within the rated capacity, are positioned low and evenly distributed
- avoid slopes where stability is reduced
- use tanks with baffles, where reasonably practicable, to reduce load movement
- make sure the vehicle and attachment combination is suitable for the task and operating conditions.

5.6.7 This draft ACOP does **not** cover hazardous substances or chemical exposure risks. For requirements relating to chemical handling, exposure controls, PPE, weather and spray drift, see Working safely with chemicals and fuels on farms | WorkSafe.

Working near water, drains and ditches

5.6.8 Edges near water, drains and ditches can be unstable or collapse without warning, creating a risk of vehicles overturning or people being struck or trapped.

5.6.9 Make sure workers take the following actions to manage these risks:

- keep well back from edges
- watch for hidden ground collapse
- avoid saturated ground.

Working under raised or suspended loads

5.6.10 Working under raised or suspended loads creates a high risk of serious injury or death if the load or attachment drops or shifts unexpectedly.

5.6.11 Make sure workers take the following actions to manage this risk:

- do not work under raised or suspended loads, such as front-end loaders or lifted implements, unless they are properly supported using purpose-designed equipment
- lower attachments to the ground before carrying out inspection, maintenance or adjustments, where reasonably practicable
- keep clear of raised loads unless the load is secured and control measures are in place to prevent unintended movement in the area.

5.7 Breakdowns, rollovers and emergencies

5.7.1 Where work is remote or isolated, PCBUs **must** manage risks to workers in accordance with regulations 5 to 8 of the Health and Safety at Work (General Risk and Workplace Management) Regulations 2016.

5.7.2 To minimise risks to the health and safety of a worker associated with remote or isolated work, PCBUs **must** provide a system of work that includes effective communication with the worker.

5.7.3 Make sure communication arrangements are suitable for the nature of the work and the risks the worker faces.

5.7.4 Examples of communication methods that may form part of an effective system of work include UHF or VHF radios in low-coverage areas, or satellite phones for very remote work, along with agreed check-in and escalation processes.

5.7.5 Whether communication arrangements are effective will depend on whether they work reliably in practice and allow timely assistance if something goes wrong.

5.7.6 For more information on remote or isolated work, see Section 6.2.

5.7.7 Where work is remote or isolated, make sure the system of work includes clear arrangements for responding if a vehicle rolls, tips or becomes stuck, so that workers can get timely help and reduce the risk of further harm.

5.7.8 If a vehicle rolls, tips or becomes stuck:

- stay calm
- avoid further movement if it is safe to do so
- call for help early
- attempt recovery only if workers are trained and it will not cause further harm to the injured person.

5.7.9 After any incident, review what happened and whether the system of work and communication arrangements were effective, and decide what needs to change before the job is done again.

Notifiable events and legal duties

5.7.10 Some breakdowns, rollovers and other serious incidents are notifiable events under HSWA.

5.7.11 If a notifiable event occurs, the PCBU **must** take all of the following steps.

5.7.12 The PCBU **must** notify WorkSafe as soon as possible after becoming aware of the event. Notification **must** be made using the fastest possible means available in the circumstances, and **must** include the details about the event that WorkSafe requires. Notification may be given by telephone or in writing, including electronically and further written information may be required.

5.7.13 A PCBU who manages or controls a workplace at which a notifiable event has occurred **must** take all reasonable steps to ensure that the site where the event occurred is not disturbed until a WorkSafe inspector or the regulator authorises otherwise.

5.7.14 For the purposes of preserving the site, this includes not disturbing plant, vehicles, substances, structures or other things associated with the event.

5.7.15 Preserving the site does not prevent actions being taken to:

- assist an injured person
- remove a deceased person
- make the site safe or minimise the risk of a further notifiable event, or
- carry out actions authorised or directed by a WorkSafe inspector, the regulator, or a constable acting in the execution of their duties.

5.7.16 For more information, see What events need to be notified? | WorkSafe.

5.8 Maintenance and taking vehicles out of service

5.8.1 Poorly maintained vehicles and attached machinery can fail unexpectedly, increasing the risk of loss of control, entanglement, crush injuries, fires and serious mechanical incidents, particularly during operation or maintenance.

5.8.2 To manage these risks, make sure vehicles and attached machinery are serviced and maintained in line with the manufacturer's recommendations.

- Follow planned maintenance schedules approved by the manufacturer or by another appropriate and competent person.
- Make sure repairs are carried out by appropriate and competent people, and in a manner approved by the manufacturer, or other appropriate competent person.
- Do not work under raised vehicles or attached machinery unless they are properly supported using purpose-designed equipment.

- Make sure vehicles or attached machinery are properly supported and stable before working underneath or nearby, including when using jacks, stands or blocks for maintenance, tyre changing or attaching implements or trailed machinery.
- De-energise and isolate energy sources before maintenance, inspection or repair, including electrical, hydraulic, pneumatic and gas energy, and use lock-out or tag-out where appropriate.
- Remove unsafe vehicles from service immediately, for example vehicles with clear damage, unusual smells or uncertified modifications.
- Return vehicles to service only after repairs are complete.

5.8.3 Unapproved or incompatible modifications can compromise vehicle stability, structural integrity or safety systems, increasing the risk of serious injury.

5.8.4 Make sure any required modifications to farm vehicles or attached machinery are approved by the manufacturer or certified by an appropriate CPEng and confirmed to be compatible with the vehicle or attached machinery.

Using tools, plant and equipment during maintenance

5.8.5 Using unsuitable, damaged or improvised tools during maintenance can increase the risk of falls, crush injuries and uncontrolled movement of vehicles or attached machinery.

5.8.6 When servicing, maintaining or repairing farm vehicles or attached machinery, make sure suitable tools, plant and equipment are used and used as intended.

5.8.7 Make sure workers take the following actions to manage these risks:

- use tools, plant and equipment that are fit for purpose, in good condition, and free from obvious damage or unauthorised modifications
- do not improvise with unsuitable or damaged tools or makeshift supports
- never work under a vehicle, implement or load supported only by a jack, hydraulic system or lifting device
- use purpose-designed axle stands, props or other supports when working under vehicles or raised machinery.

6.0 General requirements including training

6.1 Training, information, instruction and supervision

Duty to provide training, information, instruction and supervision

6.1.1 A PCBU **must** ensure, as far as is reasonably practicable, that workers receive any information, training, instruction or supervision that is necessary to protect people from risks to their health and safety arising from work carried out as part of the business.

6.1.2 As a PCBU, you **must** ensure, so far as is reasonably practicable, that workers who carry out work of any kind, uses plant of any kind, or deals with a substance of any kind that is capable of causing a risk in a workplace:

- either have adequate knowledge and experience of similar work so they are not likely to harm themselves or others, or are adequately supervised by someone with the relevant knowledge and experience, and
- are adequately trained in the safe use of all vehicles, machinery, objects, substances or equipment they are or may be required to handle, as well as all PPE they are or may be required to wear or use.

6.1.3 You **must** ensure, so far as is reasonably practicable, that the supervision and training provided to workers is suitable and adequate for the work they do and the risks they face, having regard to:

- the nature of the work being carried out
- the risks associated with that work at the time the training is provided, and
- the control measures in place for that work.

6.1.4 You **must** also ensure that the training is readily understandable to the workers it is provided to.

6.1.5 You **must** engage with workers when making decisions about the procedures for providing information and training.

6.1.6 This includes how training will be planned, delivered and reviewed to support safe work.

6.1.7 Make sure training is provided by experienced people and is tailored and fit for purpose.

6.1.8 For the operation and use of farm vehicles and attached machinery, inadequate training, instruction, supervision or PPE can give rise to critical risks. This means these requirements apply to all PCBUs, including small PCBUs.

Check ability to work safely before work begins

6.1.9 A worker can work safely when they can consistently demonstrate the skills and knowledge needed to carry out the work, taking into account the vehicle or attached machinery being used, the task, and the conditions in which the work is done.

6.1.10 Before work begins, make sure workers can safely operate the farm vehicle or attached machinery for the specific task and conditions, or that effective control measures are in place to manage the risks until they can do so safely.

6.1.11 This requires assessing each worker's current skills, knowledge and experience and taking further action where gaps are identified, such as:

- providing additional training or on-the-job instruction
- putting in place appropriate supervision
- changing the work so it can be done safely.

6.1.12 Completing training or holding qualifications does not always demonstrate a worker's ability to operate vehicles or attached machinery safely in practice.

6.1.13 Where workers are unfamiliar with the vehicle, task, terrain or have had extended gaps in work, additional training, instruction or supervision will be required before work starts or continues.

Supervise new or inexperienced workers

6.1.14 Provide close supervision for new or inexperienced workers until they have demonstrated they can carry out tasks involving farm vehicles and attached machinery safely without supervision.

6.1.15 Provide supervision for experienced workers who are carrying out unfamiliar tasks or tasks they have not performed for a long time, such as using a different vehicle, attached machinery, or operating in new conditions.

6.1.16 There are different levels of supervision – ranging from direct and constant one-on-one supervision to less intensive supervision.

6.1.17 Choose the most appropriate level of supervision based on the worker’s experience and ability to carry out the work safely. High risk tasks, such as

towing a heavy or unbalanced trailer with a tractor on steep or rough farm tracks, may require closer supervision until the worker is confident handling the tractor, the load and the terrain.

Ongoing training

6.1.18 Provide ongoing training where required, including:

- refresher training when needed
- training when new vehicles, attached machinery or new features are introduced (including new attached machinery or modifications to vehicles or attached machinery)
- training when work changes and tasks need to be done differently
- training when workers are due for recertification
- training when skill, knowledge, or qualification requirements change
- continuing professional development.

6.1.19 Regularly review training needs so workers continue to have the skills and knowledge needed to do their work safely.

Keep a record of all training

6.1.20 Keep a record of all training completed by each worker, including when refresher training is due. This helps you assign tasks to the most appropriate people and identify workers who need refresher training.

6.1.21 For more information, see Providing information, training, instruction or supervision for workers | WorkSafe.

6.2 Remote or isolated working

6.2.1 Work can be remote or isolated from other people because of the location, the time of day, or the nature of the work, such as operating farm vehicles or attached machinery in isolated parts of the farm. Work can be isolated without being remote, and remote without being isolated.

6.2.2 Remote or isolated work includes:

- working alone or being separated from colleagues
- working in an isolated or inaccessible area where the nearest emergency help, such as the fire service or hospital, is some distance away
- working outside normal business hours, including shift or night work
- working in places where communication is difficult.

Managing the risks of remote or isolated work

6.2.3 Where work is remote or isolated, PCBUs **must** manage risks to workers in accordance with regulations 5 to 8 of the Health and Safety at Work (General Risk and Workplace Management) Regulations 2016.

6.2.4 For more information about the prescribed risk management process, see General risk and workplace management - part 2 | WorkSafe.

6.2.5 Make sure remote or isolated work is planned and assessed before it starts, including whether the work is suitable to be carried out remotely or by a lone worker, given the task, conditions and risks.

6.2.6 You **must** provide a system of work that includes effective communication with workers.

6.2.7 Remote or isolated work increases the risk that workers cannot get timely assistance if something goes wrong, particularly when operating farm vehicles or attached machinery.

6.2.8 To manage these risks, make sure the system of work for remote or isolated work operates effectively in practice, not just on paper.

6.2.9 This includes making sure that:

- the work is assessed and confirmed as suitable to be carried out remotely or by a lone worker
- the worker has the experience, confidence and ability to carry out the work safely on their own or without direct supervision
- check-in, supervision and escalation processes work as intended, are reliable, and are understood by all workers, so action can be taken quickly when needed
- communication systems are reliable in the conditions the work is done and suitable for emergency use, including when workers are operating vehicles or attached machinery
- workers can raise the alarm and receive assistance in a timely way if something goes wrong
- workers know what to do if emergency or health services are delayed or unavailable

- risks are reviewed and control measures updated when conditions, work location or communication coverage change.

Example 6: Planning for working alone

Hemi is heading out to spray weeds along a back paddock boundary that is a long way from the yards and has patchy mobile coverage. This task is covered by the farm's remote and isolated work procedure.

Before Hemi leaves, he and Aroha plan the job together. They agree on what Hemi will be doing, where he will be working, how long the task should take, and what to do if conditions change. They check the weather and confirm the access track is safe for the ute and spray unit.

Aroha provides Hemi with a farm radio rather than relying on a mobile phone. They agree on regular check-ins and set a clear escalation plan if Aroha does not hear from him. Hemi also confirms where he will park and the direction he will be working so he can be located quickly if needed.

With these arrangements in place, the work can be carried out with effective communication and timely support if something goes wrong.

6.3 Workplace emergency plans (farm vehicle and attached machinery emergencies only)

Workplace emergency plans

6.3.1 This section sets out vehicle and attached machinery specific emergency actions to include in your emergency plans when farm vehicles or attached machinery are used for work.

Prioritise removing people from danger

6.3.2 In any emergency involving farm vehicles or attached machinery, removing people from danger is the most important action.

Make sure people can raise the alarm and get help

6.3.3 Make sure workers know how to raise the alarm quickly, who to contact, and what information to provide (for example location, access point, and the type of incident). Make sure someone is responsible for coordinating the response.

Farm vehicle or attached machinery fires

6.3.4 Fires can start during vehicle operation, refuelling, battery charging, hot work or when dry material builds up near hot components.

6.3.5 In the event of a fire, make sure there is an agreed process to manage the risk. In this process, include:

- calling 111
- notifying neighbours (where relevant to your location and risks)
- exiting the farm to a designated safe location.

6.3.6 Make sure workers know:

- where the designated safe location is
- how people will be accounted for
- not to re-enter an area where fire, smoke or explosions could occur.

Vehicle rollovers, tip-overs and stuck vehicles

6.3.7 Vehicle rollovers and tip-overs can lead to serious injuries, including crush injuries, and can also create secondary hazards (fuel leaks, fire risk, unstable ground).

6.3.8 If a vehicle rolls, tips or becomes stuck, make sure workers:

- call for help early (using the agreed communication arrangements)
- avoid further movement if it is safe to do so
- attempt recovery only where workers are trained and it will not cause further harm to any injured person.

Injuries involving attachments, hydraulics or raised equipment

6.3.9 Incidents involving raised implements, loaders, hydraulics, PTOs or other moving parts can cause severe injury.

6.3.10 Make sure emergency plans cover:

- who is authorised to shut down or isolate equipment
- how the area will be kept clear of other vehicles and people
- how first aid will be provided until emergency services arrive
- what workers should do if access for emergency services is difficult or delayed.

Site information needed for vehicle/machinery emergencies

6.3.11 Make sure your emergency plan includes site-specific information that matters for vehicle and attached machinery incidents, such as:

- the farm address and the best access point for emergency services
- any locked gates or access constraints and who can unlock them
- the location of first aid supplies and emergency equipment relevant to vehicles incidents
- the location of key utilities that may need to be isolated (for example power or gas).

After any incident

6.3.12 After any emergency involving a farm vehicle or attached machinery:

- review what happened and what needs to change before the job is done again
- update the emergency plan and communicate changes to workers and other affected people.

6.3.13 For more information, see Workplace emergency plans | WorkSafe.

6.4 First aid for farm vehicle and attached machinery work

Prioritise first aid where vehicle and attached machinery incidents may cause serious harm

6.4.1 Incidents involving farm vehicles and attached machinery can result in serious harm, including crush injuries, entanglement, fractures and severe bleeding.

6.4.2 These risks may be increased when work is carried out in remote locations.

6.4.3 Make sure first aid arrangements are suitable for the types of injuries that could reasonably be expected from using farm vehicles and attached machinery.

Access to first aid during vehicle and attached machinery work

6.4.4 Make sure workers can access first aid quickly when operating farm vehicles or attached machinery, including when:

- working away from farm buildings
- working alone or in small teams
- operating in remote paddocks, forestry blocks or hill country.

6.4.5 Provide first aid kits in vehicles where workers are not close to fixed facilities.

First aid for remote and isolated vehicle work

6.4.6 Where farm vehicle or attached machinery work is carried out remotely, make sure first aid arrangements allow workers to manage injuries until help arrives, including where emergency services may be delayed.

6.4.7 This includes ensuring:

- workers know how to summon help and give accurate location information
- workers know what to do if assistance is delayed
- first aid supplies are appropriate for the likely injuries and conditions.

First aid following vehicle incidents

6.4.8 If a vehicle rolls, tips, becomes stuck, or a worker is injured by attached machinery:

- provide first aid as soon as possible while keeping yourself and others safe
- do not attempt to move an injured person unless it is necessary to remove them from danger
- call for emergency assistance early.

6.4.9 Removing people from danger is the most important action.

Keeping first aid equipment ready for use

6.4.10 Make sure first aid kits used for vehicle and attached machinery work:

- are easy to access during an emergency
- are checked regularly and restocked as needed
- include items suitable for managing serious bleeding or crush-related injuries where these risks exist.

6.4.11 Figure 15 shows examples of items to include in a first aid kit for remote vehicle and attached machinery work.

After an incident

6.4.12 After any incident involving a farm vehicle or attached machinery:

- review whether first aid arrangements were effective
- replace any missing or expired items
- update equipment, training or processes if gaps are identified.

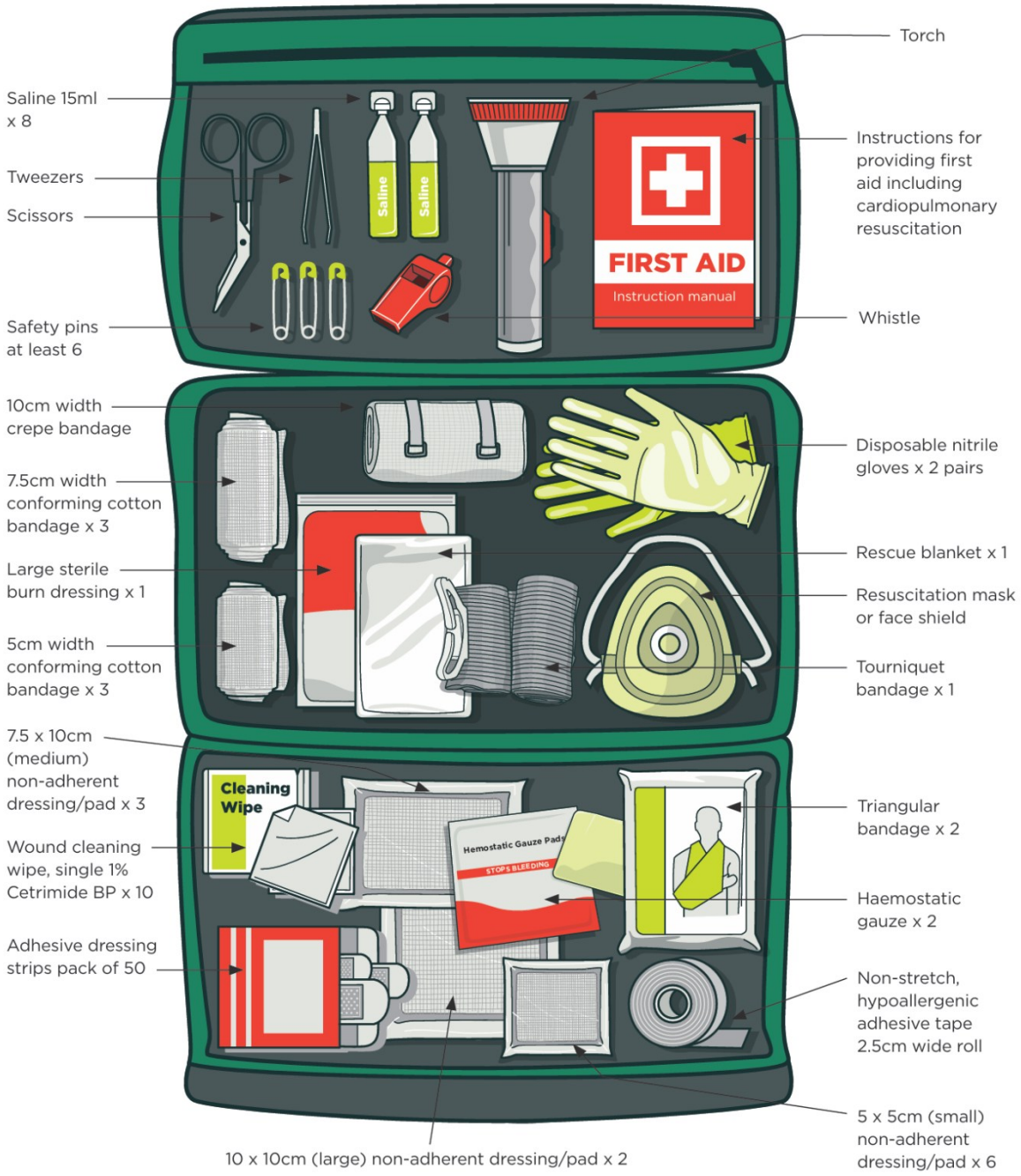


Figure 15: First aid kit contents

6.4.13 For more information, see First aid at work | WorkSafe.

6.5 Young workers

Work involving young workers, vehicles and attached machinery

6.5.1 Farm vehicles and attached machinery present a high risk of serious injury or death, particularly for young workers who may have less physical strength, experience or ability to respond to changing conditions.

6.5.2 Restrictions on the type of work young workers can do with vehicles and attached machinery are intended to prevent exposure to risks that cannot be adequately controlled by training or supervision alone.

Work involving vehicles

6.5.3 So far as is reasonably practicable, as a PCBU, you **must** not let workers under 15 years old:

- drive a vehicle
- ride on a vehicle that is towing or using an implement
- ride on an implement, unless it is a sled or trailer designed mainly for carrying passengers or goods.

6.5.4 A vehicle means:

- a tractor, and
- any self-propelled mobile mechanical plant, except cars, trucks, motorcycles, or machinery 700 kg or less.

6.5.5 These restrictions apply because operating or riding on vehicles (particularly when towing or using implements) significantly increases the risk of rollover, loss of control and crush injury.

6.5.6 Section 6.5.3 does not apply to workers aged 12 or over who drive or ride on a tractor used for agricultural work only where the risks can be effectively managed, including where:

- the tractor is being used for agricultural work, and
- the worker is fully trained, or is being trained, in the safe operation of the tractor and any attached implement.

6.5.7 If Section 6.5.6 applies, make sure that:

- the task, terrain and conditions are appropriate for the young worker, and

- training is practical, supervised and proportionate to the risks involved.

Work involving machinery

6.5.8 So far as is reasonably practicable, you **must** not let people under 15 years old:

- work at or with any machinery
- help with work at or with any machinery.

6.5.9 Machinery includes engines, motors and appliances that provide mechanical energy, and equipment driven by machinery such as lifting equipment, lifting vehicles, bicycles with mechanical or electrical assistance, and tractors.

6.5.10 These restrictions reflect the risk of entanglement, crushing and severe injury associated with attached machinery, particularly where moving parts or stored energy are involved.

How to manage risk when young workers operate farm vehicles or attached machinery

6.5.11 When young workers 15 years and older are permitted to operate farm vehicles or attached machinery, make sure that the work assigned is consistent with the purpose of the age-based restrictions, and does not expose young workers to risks that cannot be effectively managed.

6.5.12 This includes ensuring that tasks are appropriate having regard to the worker's:

- physical capability relevant to the task, and
- level of experience with the specific vehicle, attached machinery, terrain and conditions.

6.5.13 To manage the risks associated with young workers operating farm vehicles or attached machinery, make sure:

- young workers do not operate vehicles or attached machinery unless they have been trained and are able to safely carry out the specific task in the conditions, and appropriate supervision is provided while they are still developing the skills needed to do so safely
- vehicles and attached machinery are operated within clearly defined limits, including limits on speed, terrain, load and permitted tasks
- young workers do not carry passengers unless the vehicle is designed for passengers and it is safe to do so

- young workers do not carry loads or operate attachments that could adversely affect stability or control
- supervision matches the level of risk and the worker's experience, especially for unfamiliar tasks or changing conditions.

6.6 Drugs and alcohol

How can drugs and alcohol cause health and safety risks?

6.6.1 Drugs, alcohol and some medications can impair judgement, coordination, reaction time and decision making. This increases the risk of serious harm, particularly when operating farm vehicles or attached machinery.

6.6.2 Do not allow workers to work (especially when operating farm vehicles or attached machinery) if they are affected by:

- alcohol or illegal drugs
- prescription or over the counter medication that may cause side effects that increase risk, such as drowsiness, slower reaction times or reduced concentration.

6.6.3 As a PCBU, you **must** engage with your workers when making decisions about ways to eliminate or minimise work risks, and when proposing changes that may affect their health or safety.

How to manage the risks from drugs and alcohol

6.6.4 Manage the risks associated with drugs and alcohol so that farm vehicles and attached machinery are not operated when impairment could make the work unsafe.

6.6.5 This requires taking steps to prevent workers who may be impaired from carrying out safety-critical tasks and responding promptly if impairment is suspected.

Using a drugs and alcohol policy to support risk management

6.6.6 A drugs and alcohol policy can support the management of impairment risks by setting clear expectations and arrangements. However, having a policy alone does not manage the risk.

6.6.7 Where a policy is used, it should support timely and effective action to prevent impaired workers from carrying out unsafe work, not just set expectations on paper.

6.6.8 A drugs and alcohol policy should clearly set out:

- how the business will manage the risks associated with illegal drugs, prescription and over-the-counter medications and alcohol at work
- expectations that farm vehicles and attached machinery will not be operated when a worker may be impaired
- the actions that will be taken if a worker is suspected of being affected by drugs or alcohol
- any drug or alcohol testing arrangements used to support safe work
- how workers can seek help where drug or alcohol use affects their safety at work.

Include your policy in inductions and ongoing training

6.6.9 Make sure workers understand the policy and what it requires of them, for example by discussing it during induction or training and checking workers know the expectations and what to do if issues arise.

6.6.10 To keep the policy front of mind:

- include it in inductions, refresher training and toolbox talks
- regularly remind workers of the policy in team meetings.

6.6.11 For more information, see Impairment and testing for drugs at work | WorkSafe.

Appendices

Appendix 1 Glossary

Term	Explanation
ACOP/approved code of practice	Sets out WorkSafe's expectations about how to comply with legal duties imposed by HSWA and regulations. Other practices can be used to achieve compliance as long as the level of health and safety is equivalent to, or higher than, that in the ACOP.
AS/NZS - Australian/New Zealand Standard	A reference to an Australian/New Zealand Standard, described by numerals and a title.
ATV/all-terrain vehicle	A smaller vehicle that has been designed for off-road use. In this draft ACOP, ATV includes quad bikes, side-by-sides and other purpose-built off-road utility vehicles.
Ballast	Extra weight added to a farm vehicle or machine to help it stay steady, grip the ground better, and stay balanced when doing work or carrying attachments. Ballast can include: – wheel weights bolted to rims – liquid-filled tyres, for example water or calcium-based solutions – front or rear weight blocks or ballast boxes – mounted implements that act as a counterweight.
Business or undertaking	The usual meanings are: – business: an activity usually carried out with the intention of making a profit or gain – undertaking: an activity that is non-commercial in nature (for example, certain activities of a local authority or a not-for-profit group).
Close supervision	Direct and constant one-on-one supervision.
Competent person	Someone who can consistently demonstrate the skill and knowledge derived from experience and/or training for the type of work the person is tasked to do.
Contractor	A PCBU that has been engaged to do work by another PCBU (other than as an employee, apprentice, trainee or volunteer). Contractors and their employees are classed as workers of the contracting PCBU/principal.

Term	Explanation
Control measure	A way of eliminating or minimising risks to health and safety.
Critical risk	Critical risks are: – risks that stem from hazards set out in HSWA Schedule 1A, and – risks that are likely to result in a death, a notifiable injury, illness or incident, or an occupational disease listed in Schedule 2 of the Accident Compensation Act 2001.
Crush Protection Device (CPD)	A device fitted to manufacturer's instructions to quad bikes to reduce the risk of crush injuries in rollovers.
Duty	A legal obligation
Duty holder	A person who has a duty under HSWA. There are four types of duty holders: – PCBUs – officers – workers – other persons at workplaces.
Eliminate	To remove the sources of harm (for example, equipment, substances, or work processes)
Emergency	An uncontrolled event that has caused, or could cause: – loss of life – injury – serious property damage. It can include declarations of civil defence emergencies, catastrophic weather events, bushfires, or other significant events.
Emergency plan	An emergency plan is a written procedure that tells people what to do in an emergency.
Exclusion Zone	An area where vehicles are operating and people are kept out for safety.
Fatigue	Fatigue is a state of physical and/or mental exhaustion which reduces a person's ability to perform work safely and effectively.
Hazard	Anything that can cause harm. Under HSWA, hazard is defined as 'includes a person's behaviour where that behaviour has the potential to cause death, injury, or illness to a person (whether or not that behaviour results from physical or mental fatigue, drugs, alcohol, traumatic shock,

Term	Explanation
	or another temporary condition that affects a person's behaviour)'.
Hazardous substances	Any product or chemical that has properties that are explosive, flammable, oxidising, toxic, corrosive or toxic to the environment. Hazardous substance means, any substance— (a) with 1 or more of the following intrinsic properties: (i) explosiveness: (ii) flammability: (iii)a capacity to oxidise: (iv) corrosiveness: (v)toxicity (including chronic toxicity): (b) which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any 1 or more of the properties specified in paragraph (a)
Health	A person's physical and psychological health.
Health and Safety at Work Act 2015 (HSWA)	The key work health and safety legislation in New Zealand. HSWA applies to all work and workplaces unless specifically excluded. You can find the full text of the Act on the New Zealand Legislation website.
Impairment	A reduction of a person's ability to think or act as the result of drug or alcohol use, mental fatigue, stress, health conditions, or traumatic shock.
Industry qualifications	Skill/unit standards registered with the New Zealand Qualifications Authority where assessment has been carried out and competence verified.
ISO	The International Organisation for Standardisation - an organisation that develops and publishes international standards that ensure quality and safety in products and services.
Minimise	To take steps that protect the health and safety of people by reducing the likelihood of an event occurring, reducing the level of harm to people if it does occur, or both.
Must	Indicates a legal requirement that must be complied with.
Operator	A worker who operates some form of machinery.

Term	Explanation
Personal protective equipment (PPE)	Anything used or worn by a person (including clothing) to minimise risks to the person's health and safety. This may include – but is not limited to: – respiratory protective equipment – protective helmets – protective eyewear – protective boots – protective gloves – hearing protection – high-vis clothing – sunhats – sunscreen and lip protection – safety harness systems.
Plant	Defined in HSWA as any machinery, vehicle, vessel, equipment, appliance, container, implement or tool, as well as any component of those things or anything connected to those things.
Power Take-Off (PTO)	A shaft used to transfer mechanical power from a tractor to machinery.
Quad bike	A small lightweight four-wheel drive vehicle designed for off-road single-rider operation. A quad bike is a type of all-terrain vehicle (ATV).

Reasonably practicable	Means that which is, or was, at a particular time, reasonably able to be done in relation to ensuring health and safety, taking into account and weighing up all relevant matters, including:
	– the likelihood of the hazard or the risk concerned occurring; and
	– the degree of harm that might result from the hazard or risk; and
	– what the person concerned knows, or ought reasonably to know, about:
	  – the hazard or risk, and
	  – ways of eliminating or minimising the risk; and
	– the availability and suitability of ways to eliminate or minimise the risk; and
	– 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

Term	Explanation
	minimising the risk, including whether the cost is grossly disproportionate to the risk.
Risk	Arise from people being exposed to a hazard (a source of harm).
Rollover protective structure (ROPS)	A safety structure meeting an ISO standard fitted to vehicles, for example tractors or side-by-sides, to protect occupants in the event of a rollover.
Side-by-side (SxS)	A small four-wheel drive vehicle designed mainly for off-road use. A side-by-side is a type of all-terrain vehicle (ATV). Side-by-sides fitted with seatbelts and a certified ROPS and used within limits offer better protection than quad bikes or two-wheel motorbikes.
Small PCBU	A small PCBU has fewer than 20 workers.
Subcontractor	PCBUs hired by a contractor to work or provide services on their behalf. Sometimes subcontractors are referred to as suppliers.
Tractor	A vehicle principally for towing an agricultural trailer or powering agricultural machinery.
Upstream PCBUs	PCBUs who design, manufacture, import or supply plant, substances or structures, or who install, construct or commission plant or structures. 'Design' includes the: – design of part of the plant, substance, or structure, and – redesign or modification of a design.
Vehicle	A tractor or other self-propelled vehicle that is primarily used on a farm. In the context of this draft ACOP, a vehicle includes: – tractors – quad bikes – side-by-sides – two-wheel motorbikes – utes and four-wheel drives (2WD and 4WD).
Worker	Means an individual who carries out work in any capacity for a PCBU, including work as: – an employee – a contractor or subcontractor – an employee of a contractor or subcontractor

Term	Explanation
	– an employee of a labour hire company who has been assigned to work in the business or undertaking – an outworker (including a homeworker) – an apprentice or a trainee – a person gaining work experience or undertaking a work trial – a volunteer worker – a person of a prescribed class.
Workplace	– means a place where work is being carried out, or is customarily carried out, for a business or undertaking, and – includes any place where a worker goes, or is likely to be while at work. Place includes: – a vehicle, vessel, aircraft, ship or other mobile structure – any waters and any installation on land, on the bed of any waters, or floating on any waters.
Work-related health	The impact work can have on people's health. In the past it was known as occupational health.

Appendix 2 So far as is reasonably practicable

So far as is reasonably practicable Section 22 of HSWA

Certain PCBU duties (the section 36–43 duties including the primary duty of care) must be carried out 'so far as is reasonably practicable'.

What to consider when deciding what is 'reasonably practicable'

Just because something is possible to do, does not mean it is reasonably practicable in the circumstances.

Consider:

- What possible actions can be taken to ensure health and safety?
- Of these possible actions, at a particular time, what is reasonable to do?

Think about the following questions.

WHAT IS KNOWN ABOUT THE RISK?

- How likely is the risk to occur?
- How severe is the illness or injury that might occur if something goes wrong?
- What is known, or should reasonably be known, about the risk?

WHAT IS KNOWN ABOUT POSSIBLE CONTROL MEASURES?

- What is known, or should reasonably be known, about the ways (control measures) to eliminate or minimise the risk?
- What control measures are available?
- How appropriate (suitable) are the control measures to manage the risk?
- What is the cost associated with available ways of eliminating or minimising the risk, including whether the cost is grossly disproportionate to the risk?

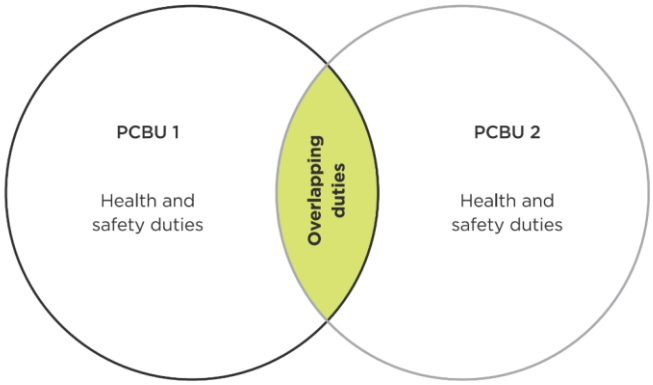
> While PCBUs should check if there are widely used control measures for that risk (such as industry standards), they should always keep their specific circumstances in mind. A common industry practice might not be the most effective or appropriate control measure to use.
>
> If PCBUs are not sure what control measures are appropriate, WorkSafe recommends getting advice from a suitably qualified and experienced health and safety professional.

For more information, see our guidance: Reasonably practicable.

Appendix 3 Working with other PCBUs – overlapping duties

Working with other PCBUs – overlapping duties Section 34 of HSWA

More than one PCBU can have a duty in relation to the same matter. These PCBUs have overlapping duties – this means that the duties are shared between them.



Duties regularly overlap:

- in a shared workplace (for example, a building site or a port) where more than one business has control and influence over the work on site.
- in a contracting chain, where contractors and subcontractors provide services to a head contractor or client and do not necessarily share the same workplace.

A PCBU must, so far as is reasonably practicable, consult, cooperate and coordinate activities with all other PCBUs they share duties with so that all PCBUs can meet their joint responsibilities.

A PCBU cannot transfer or contract out of their duties, or pass liability to another person.

However a PCBU can make an agreement with another PCBU to fulfil specific duties. Even if this occurs, all PCBUs are still responsible for meeting their legal duties.

Example

A local hotel contracts out housekeeping services to an agency. The hotel and agency both have a duty to ensure the health and safety of the housekeeping workers, so far as is reasonably practicable. This includes the duty to provide first aid facilities.

The agency reaches an agreement with the hotel – if their workers need first aid while working at the hotel they can use the hotel's first aid facilities.

For more information, see our guidance: Overlapping duties.

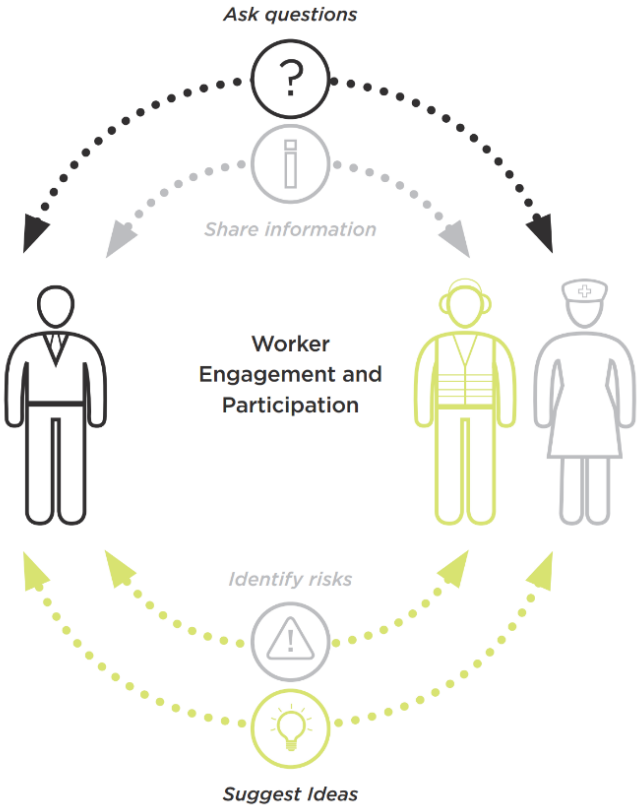
Appendix 4 Worker engagement, participation and representation

Worker engagement, participation and representation Part 3 of HSWA

ENGAGE WITH WORKERS AND ENABLE THEIR PARTICIPATION

A PCBU has two main duties related to worker engagement and participation:

- to engage with workers on health and safety matters that affect or are likely to affect workers, so far as is reasonably practicable, and
- to have practices that give workers reasonable opportunities to participate effectively in the ongoing improvement of work health and safety.



A PCBU can engage with workers by:

- sharing information about health and safety matters so that workers are well-informed, know what is going on and can contribute to decision-making
- giving workers reasonable opportunities to have a say about health and safety matters
- listening to and considering what workers have to say at each step of the risk management process
- considering workers' views when health and safety decisions are being made
- updating workers about what decisions have been made.

A PCBU must engage with workers during specified times, including when identifying hazards and assessing risks.

A PCBU must have clear, effective, and ongoing ways for workers to suggest improvements or raise concerns.

Worker representation

Workers can be represented by a Health and Safety Representative (HSR), a union representing workers, or a person that workers authorise to represent them (for example, a community or church leader, or another trusted member of the community).

HSRs and Health and Safety Committees (HSCs) are two well-established methods of participation and representation. If workers are represented by an HSR, worker engagement must also involve that representative.

For more information

WORKSAFE GUIDANCE

Good practice guidelines: Worker engagement, participation and representation.

Interpretive guidelines: Worker representation through Health and Safety Representatives and Health and Safety Committees.

Appendix 5 Upstream duties

Upstream duties Sections 39-43 of HSWA

A PCBU in the supply chain (upstream) also has a duty to ensure, so far as is reasonably practicable, that the work they do or the things they provide to other workplaces do not create health and safety risks.

An upstream PCBU is a business that:

- designs plant, substances, or structures
- manufactures plant, substances, or structures
- imports plant, substances, or structures
- supplies plant, substances, or structures
- installs, constructs or commissions plant or structures.

Upstream businesses are in a strong position to eliminate or minimise risk. They can influence and sometimes eliminate health and safety risks through designing, manufacturing, importing or supplying products that are safe for the end user.

> **Example**
>
> A worker using a badly designed or poorly manufactured saw may be at risk of injury. This risk should have been eliminated or minimised, so far as was reasonably practicable, by the designer or manufacturer.

For more information, see our website: worksafe.govt.nz.

Upstream duties for designers Section 39 of HSWA

A designer creates or modifies a design for plant, substances or structures that are to be used or operated, or could be used or operated, in a workplace.

A designer has a duty, so far as is reasonably practicable:

- to make sure the products they design do not create health and safety risks for the people that use them and those nearby
- to make sure the products they design have been tested so they are safe for use in a workplace
- to give the following information to those who will use the designed products:
    - the design's purpose or intended use
    - the results of any calculations or tests
    - any general and current relevant information about how to safely use, handle, store, construct, inspect, clean, maintain, repair, or otherwise work near the designed products.

These requirements apply across the product's entire lifecycle – from manufacture and construction, through to everyday use, decommissioning and disposal.

For more information, see our guidance: Health and safety duties for businesses that design products for workplaces.

Upstream duties for manufacturers Section 40 of HSWA

A manufacturer makes plant, substances or structures that are to be used, or could be used or operated, in a workplace.

A manufacturer has a duty, so far as is reasonably practicable:

- to make sure the products they manufacture do not create health and safety risks for the people that use them and those nearby
- to make sure the products they manufacture have been tested so they are safe for use in a workplace
- to give the following information to those that will use the manufactured products:
    - the purpose or intended use of each product
    - the results of any calculations and tests
    - any general and current relevant information about how to safely use, handle, store, construct, inspect, clean, maintain, repair, or otherwise work near the manufactured products.

These requirements apply across the product's entire lifecycle – from manufacture and construction, through to everyday use, decommissioning and disposal.

For more information, see our guidance: Health and safety duties for businesses that manufacture products for workplaces.

Upstream duties for importers Section 41 of HSWA

An importer imports plant, substances or structures that are to be used, or could be used or operated, in a workplace.

An importer is a business:

- that goods are imported **by**, or
- that goods are imported **for**.

Importation is another word for importing. Importation refers to the **arrival of goods** in New Zealand from a point outside New Zealand. These goods can arrive in any manner.

An importer has a duty, so far as is reasonably practicable:

- to make sure the products they import do not create health and safety risks for the people that use them and those nearby
- to make sure the products they import have been tested so they are safe for use in a workplace
- to give the following information to those who will use the imported products:
    - the purpose or intended use of each product
    - the results of any calculations and tests
    - any general and current relevant information about how to safely use, handle, store, construct, inspect, clean, maintain, repair, or otherwise work near the imported products.

These requirements apply across the product's entire lifecycle – from construction or assembly, through to everyday use, decommissioning and disposal.

Imported products must also meet all New Zealand regulatory requirements relevant to that product.

For more information, see our guidance: Health and safety duties for businesses that import products for workplaces.

Upstream duties for suppliers Section 42 of HSWA

A supplier supplies plant, structures or substances that may be used in a workplace.

A supplier has a duty, so far as is reasonably practicable:

- to make sure the products they supply do not create health and safety risks for the people that use them and those nearby
- to make sure the products they supply have been tested so they are safe for use in a workplace
- to give the following information to those who will use the supplied products:
    - the purpose or intended use of each product
    - the results of any calculations and tests
    - any general and current relevant information about how to safely use, handle, store, construct, inspect, clean, maintain, repair, or otherwise work near the supplied products.

These duties do not extend to the sale of second-hand plant sold 'as is'.

These requirements apply across the product's entire lifecycle – from construction or assembly, through to everyday use, decommissioning and disposal.

For more information, see our guidance: Health and safety duties for businesses that supply products for workplaces.

Upstream duties for installers, constructors or commissioners of plant or structures

Section 43 of HSWA

An installer/constructor builds and/or assembles and installs plant and structures that may be used at a workplace. A commissioner performs adjustments, tests and inspections on plant and structures before they are used for the first time in a workplace.

An installer, constructor or commissioner has a duty, so far as is reasonably practicable, to make sure that the way the plant or structure is installed, constructed or commissioned does not create health and safety risks to the people that come into contact with it across the product's entire lifecycle – from construction or assembly, through to everyday use, decommissioning and disposal.

For more information, see our guidance: An additional health and safety duty for businesses that install, construct or commission plant or structures for workplaces.

Appendix 6 Approach to managing risk

Managing risk **section 30 of HSWA**

Risks to health and safety arise from people being exposed to a hazard (a source or cause of harm).

A PCBU must first try to **eliminate** a risk if this is reasonably practicable. If it is not reasonably practicable to eliminate the risk, it must be **minimised** so far as is reasonably practicable.

A PCBU must engage with workers and their representatives: - when identifying and assessing risks, and - when making decisions about how to eliminate or minimise the risks using appropriate control measures.

Follow the steps below to identify, assess and manage work health and safety risks.

STEP 1: IDENTIFY HAZARDS THAT COULD GIVE RISE TO WORK RISKS

With your workers, identify what could harm the health or endanger the safety of one or more workers or others (such as visitors, or bystanders).

STEP 2: ASSESS WORK RISKS

With your workers, identify and assess the risks arising from each work hazard. Ask:

- Who might be exposed to the hazard?
- What could happen?
    - How severe could the resulting injuries be?
    - How could people's health be affected?
    - How likely are these consequences?

Decide which risks to deal with immediately. For example, risks with potentially significant consequences such as serious injury or death, chronic ill-health, or those with a high likelihood of occurring.

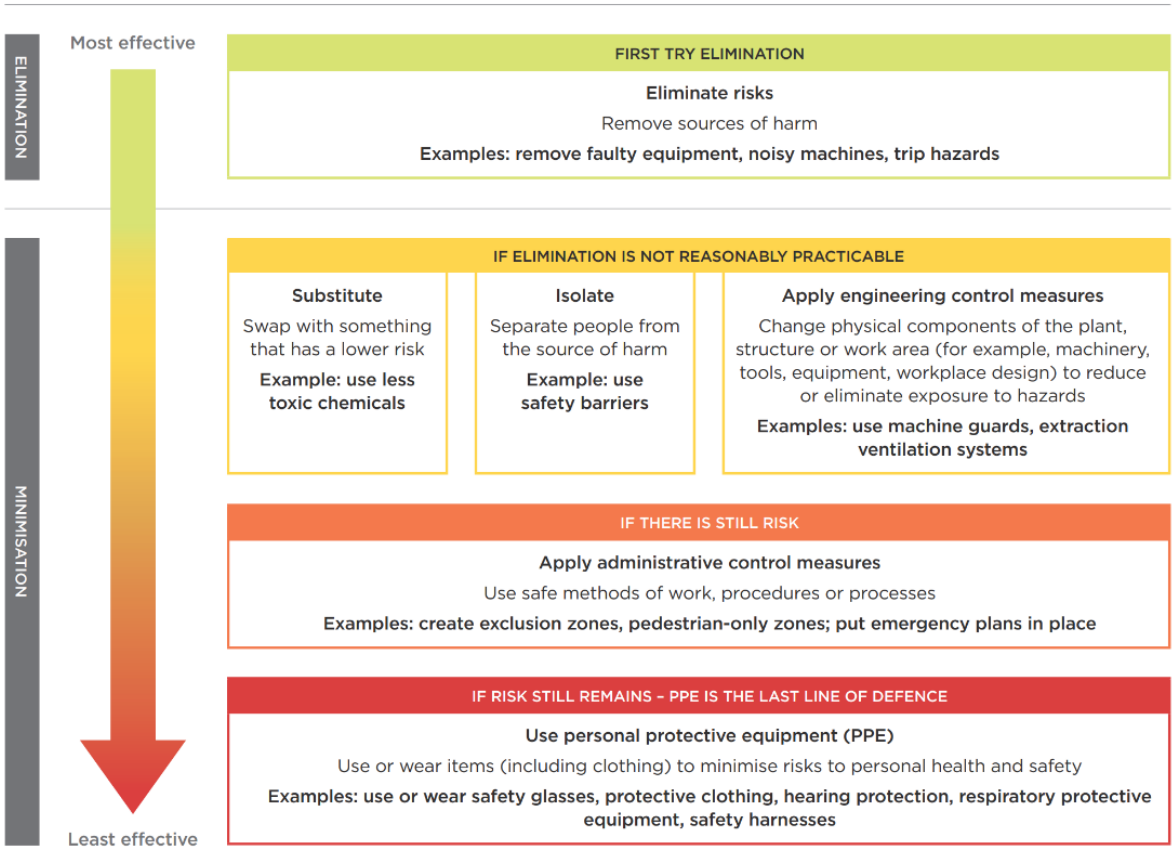
STEP 3: DECIDE HOW TO MANAGE EACH RISK

With your workers, decide how to manage work risks.

Multiple control measures may be needed to deal with a given risk. Give preference to control measures that protect many workers at the same time (for example, safety barriers, safety nets).

A PCBU can use the following hierarchy of control measures to work out the most effective control measures to use.

Hierarchy of control measures



First try to eliminate

First try to eliminate the risk, if this is reasonably practicable. This can be done by removing the source or cause of harm (such as faulty equipment, a noisy machine or a trip hazard).

Then try to minimise

If it is not reasonably practicable to eliminate the risk, the risk must be minimised so far as is reasonably practicable.

Minimise the risk using one or more of the following actions:

- substitute/swap with something that has a lower risk
- isolate the hazard by separating people from the source of harm
- apply engineering control measures (where physical components of the plant, structure or work area are changed to reduce or eliminate exposure to hazards).

If the risk still remains after taking one or more of the actions above, try to minimise the risk with administrative control measures (safe methods of work, procedures or processes).

If there is still risk, use personal protective equipment (PPE) to minimise the risk. PPE is the least effective control measure, and should only be used when other control measures alone cannot adequately manage the risk.

STEP 4: PUT CONTROL MEASURES IN PLACE

As soon as possible after a decision is made about the control measures, a PCBU should:

- put the control measures in place
- instruct and train workers (including new workers) about the control measures, including why it is important to use them and how to apply them.

STEP 5: REVIEW AND IMPROVE CONTROL MEASURES

Control measures should remain effective, be fit-for-purpose, be suitable for the nature and duration of the work, and be used correctly.

With your workers, regularly monitor control measures to confirm that the measures are effective.

You should review control measures:

- when a new risk is identified
- when there is a change at the workplace or to the work
- when workers or their health and safety representative ask for a review
- when there is evidence that control measures may not be working effectively to manage the risk (for example, when you receive monitoring results or a report following an incident investigation).

Use guidance from WorkSafe or others (for example, industry associations) to help to identify, assess, and manage risks, and review control measures.

If you need help, WorkSafe recommends getting advice from a suitably qualified and experienced health and safety professional.

For more information, see our guidance: Identifying, assessing and managing work risks.

Appendix 7 Health and Safety at Work Act duties

The Health and Safety at Work Act 2015 (HSWA) is New Zealand's key work health and safety law.

All work and workplaces are covered by HSWA unless they have been specifically excluded. For example, HSWA does not apply to the armed forces in certain situations.

HSWA sets out the work health and safety duties that duty holders must comply with.

There are four types of duty holder under HSWA:

- a person conducting a business or understanding (PCBU)
- an officer
- a worker
- an 'other person' at the workplace.

Most duties under HSWA relate to **how** work is carried out. However some duties are linked to **where** work is carried out: the workplace.

> A **workplace** is a place where work is being carried out or usually carried out for a business or undertaking. It includes any place where a worker goes or is likely to be while at work Section 20 of HSWA.

Duty Holder	Who They Are?	Examples	What Are Their Duties?	For More Information
Person Conducting a Business or Undertaking (PCBU)	A person conducting a business or undertaking (PCBU) may be an individual person or an organisation The following **are not** PCBUs: - officers - workers - other persons at a workplace - volunteer associations that do not have employees - home occupiers (such as home owners or tenants) who pay someone to do work	- a business - a self-employed person - partners in a partnership - a government agency - a local council - a school or university	A PCBU has many duties. Key duties are summarised below. **Primary duty of care** Section 36 of HSWA A PCBU must ensure, so far as is reasonably practicable, the health and safety of workers, and that other persons are not put at risk by its work. **Managing risks** Section 30 of HSWA Risks to health and safety arise from people being exposed to hazards (anything that can cause harm). A PCBU must manage work health and safety risks. - A PCBU must first try to **eliminate** a risk so far as is reasonably practicable. This can be done by removing the source of harm, for example, removing faulty equipment or a trip hazard. - If it is not reasonably practicable to eliminate the risk, it must be **minimised** so far as is reasonably practicable. Small PCBUs must only manage critical risks. For all other HSWA and regulatory requirements, they must prioritise critical risks	Introduction to the Health and Safety at Work Act 2015 Identifying, assessing and managing work risks

Duty Holder	Who They Are?	Examples	What Are Their Duties?	For More Information
	around the home Section 17 of HSWA		over other risks. Other PCBUs must manage all risks but prioritise critical risks. **Overlapping duties: working with other PCBUs** Section 34 of HSWA A PCBU with overlapping duties must, so far as is reasonably practicable, consult, cooperate and coordinate activities with other PCBUs they share duties with. **Involving workers: worker engagement, participation and representation** Part 3 of HSWA A PCBU must, so far as is reasonably practicable, engage with their workers (or their workers' representatives) about health and safety matters that will directly affect the workers. A PCBU must have worker participation practices that give their workers reasonable opportunities to participate in improving health and safety on an ongoing basis.	Overlapping duties
Upstream PCBU	A PCBU in the supply chain	- a designer - a manufacturer - a supplier - an importer - an installer, constructor, or commissioner.	**Upstream PCBU** Sections 39–43 of HSWA An upstream PCBU must ensure, so far as is reasonably practicable, that the work they do or the things they provide to other workplaces do not create health and safety risks.	Introduction to the Health and Safety at Work Act 2015
Officer	A specified person or a person who exercises significant influence over the management of the business or undertaking Section 18 of HSWA	- a company director - a partner or general partner - a chief executive.	**Officer** Section 44 of HSWA An officer must exercise due diligence that includes taking reasonable steps to ensure that the PCBU meets their health and safety duties. An officer's duties exclude activities they carry out in another role within the business, for example as a worker.	Introduction to the Health and Safety at Work Act 2015
Worker	An individual who carries out work for a PCBU Section 19 of HSWA	- an employee - a contractor or sub-contractor - an employee of a contractor or sub-contractor - an employee of a labour hire company - an outworker (including homeworker) - an apprentice or trainee	**Worker** Section 45 of HSWA A worker must take reasonable care of their own health and safety, and take reasonable care that they do not harm others at work. A worker must cooperate with reasonable policies and procedures the PCBU has in place that the worker has been told about. A worker must comply, as far as they are reasonably able, with any reasonable instruction given by the PCBU so the PCBU can meet their legal duties	Introduction to the Health and Safety at Work Act 2015

Duty Holder	Who They Are?	Examples	What Are Their Duties?	For More Information
		- a person gaining work experience or on work trials - a volunteer worker.		
Other person at the workplace	An individual present at a workplace (not a worker)	- a workplace visitor - a casual volunteer (not a volunteer worker) - a customer.	**Other person at the workplace** Section 46 of HSWA An 'other person' has a duty to take reasonable care of their own health and safety, and not adversely affect the health and safety of anyone else. They must comply with reasonable instructions relating to health and safety at the workplace.	Introduction to the Health and Safety at Work Act 2015