
ENFORCEABLE UNDERTAKING

Part 11

Work Health and Safety Act 2011

The commitments in this enforceable undertaking
are offered to the
WorkCover Authority of NSW

by

Australia Milling Group Pty Ltd

ABN 57 127 428 406

Enforceable Undertaking

Purpose

The purpose of this enforceable undertaking is to document the undertakings offered to the WorkCover Authority of NSW (**WorkCover**) pursuant to Part 11 of the *Work Health and Safety Act 2011 (WHS Act)* in connection with matters relating to alleged contraventions of the WHS Act or the *Work Health and Safety Regulation 2011 (the Regulation)*.

Section 1 – General information

a. Details of the person proposing the undertaking

Business address:	47 Golf Course Road Horsham Vic 3400
Postal address:	PO Box 3019 Toowoomba Qld 4350
Telephone contact:	██████████ Chief Executive Officer ██████████
Email address:	trade@aumg.com.au
Legal structure:	Australian proprietary company, limited by shares
Type of business:	Grain trading and exporting
Commencement date of the entity:	6 September 2007
Number of workers:	Full time 85 / Part time 24 / Seasonal 0 (approximately 30 additional seasonal workers are employed from October – January each year)
Products and services:	Supplier of all types of Australian pulses and special crops
Comments:	Australia Milling Group Pty Ltd (AMG) is an Australian subsidiary of Alliance Grain Traders Inc, a global leader in pulse and staple food processing and distribution, with processing facilities and sales offices located around the globe.

b. Details of the alleged contravention

It is alleged by WorkCover that on 24 March 2013 AMG failed to discharge its obligations as a person conducting a business or undertaking under section 19(1) of the WHS Act in that it did not ensure so far as reasonably practicable the health and safety of workers.

c. Details of the events surrounding the alleged contravention

The injured worker was loading box containers with grain from a bulk silo through a discharge auger machine at AMG's Narrabri site. During this task, a shear bolt on the discharge auger machine broke. The injured worker was replacing the broken bolt on the auger machine when his leg bumped a switch which caused the auger machine to activate and caused injury to the worker. Power to the auger machine was not isolated prior to the repair work being carried out.

d. An acknowledgement that WorkCover alleged a contravention has occurred

It is acknowledged that WorkCover has alleged that AMG has contravened provisions of the WHS Act.

e. The details of any injury that arose from the alleged contravention

The injured worker sustained [REDACTED]

f. The details of any enforcement notices issued that relate to the alleged contravention

Yes (provide details) No

Notices received:

Date issued	Notice type	Notice number	Contravention	Action taken in response to notice
25 March 2013	Improvement	7-255376	Workers/persons may be exposed to a risk of injury whilst operating silo discharge augers due to emergency stop controls not being fitted locally at the operator's position.	<ol style="list-style-type: none">1. Toolbox talk held on 26 March 2013 for all day and afternoon shift workers at the Narrabri site regarding interim procedure for operating discharge augers involving two persons (one operator at the controls of the loading shifter and the second operator on standby located at the controls of the discharge auger of the silo being transferred) until emergency stop controls installed. Information and instruction was given and an attendance register was signed by all relevant employees.2. Emergency stop

Date issued	Notice type	Notice number	Contravention	Action taken in response to notice
25 March 2013	Improvement	7-255377	Persons may be exposed to a risk of injury whilst operating or carrying out maintenance on silo discharge augers due to lockable electrical isolator controls not being fitted locally to the plant.	<p>controls were installed locally at the silo discharge augers at the Narrabri site on 4 April 2013.</p> <ol style="list-style-type: none"> 3. A Safe Operating Procedure for conveyors and augers was developed and employees were trained in relation to the procedure. <ol style="list-style-type: none"> 1. Separate isolation points were installed locally at the bulk silos at the Narrabri site on 4 April 2013. 2. Tags, locks and a lockout board were purchased for use at the Narrabri site and installed on 2 April 2013. 3. A Safe Operating Procedure for conveyors and augers was developed and employees were trained in relation to the procedure.
25 March 2013	Improvement	7-255378	Workers/Persons may be exposed to a risk of injury while accessing plant for maintenance and/or cleaning due to plant lock out procedures not being implemented.	<ol style="list-style-type: none"> 1. A PowerPoint presentation on AMG's Lock Out Tag Out (LOTO) procedures was produced and all workers at the Narrabri site and other AMG sites underwent training and instruction in relation to the LOTO procedures on 28 March 2013. 2. An Isolation Register was developed for the Narrabri site to document employee compliance with LOTO procedures.
25 March 2013	Improvement	7-255385	Workers/Persons may be	<ol style="list-style-type: none"> 1. A Safe Operating

Date issued	Notice type	Notice number	Contravention	Action taken in response to notice
			<p>exposed to a risk of injury from conveyors/augers due to the failure to develop and incorporate Safe Work Procedures and undertake training for operators and maintenance personnel of conveyors/augers or conveyor system at this work place.</p>	<p>Procedure for conveyors and augers was developed and employees were trained in relation to the procedure.</p> <p>2. Workers were instructed in relation to the AMG Safety Hazard Identification/Control Risk Assessment procedures.</p> <p>3. AMG Job Safety and Environmental Analysis (JSEA) for conveyors/augers developed for the preparation of work plans.</p>

g. A statement of assurance about future work health and safety behaviour

AMG is committed to complying with its obligations under the WHS Act and ensuring, so far as reasonably practicable the health and safety of all workers and those who may be affected by its business or undertakings.

When an alleged contravention is associated with an injury/illness

h. The details of the type of workers compensation provided (if the injured person(s) is a worker of the person)

The injured worker, as an employee of AMG, has been provided workers' compensation including rehabilitation in accordance with AMG's workers' compensation policy and applicable workers' compensation legislation.

i. The details of the support provided, and proposed to be provided, to the injured person(s) to overcome the injury/illness

Does the contravention involve injury to a person?

Yes

No

The injured person is an employee of AMG.

The following support has been provided to the injured person(s) or injured person(s) family:

Date	Description of support	Comment
24.03.2013	Immediately after the incident, AMG personnel transported the injured worker to the local hospital at Narrabri (injured worker was then transferred to hospital in Newcastle for treatment). AMG representatives (Northern Director and Group Safety Advisor) contacted the injured worker's wife to inform her of the incident, indicating that AMG would pay for the family's travel, accommodation and associated costs to visit the injured worker where he was being treated in Newcastle.	
Various	The injured worker required 6-weekly visits to Newcastle for follow up treatment. AMG facilitated these follow up visits by providing transport and accommodation costs for the injured worker and his family to travel to Newcastle.	Total costs to AMG below.
Various	The injured worker required further follow up treatment in Tamworth. AMG paid for transport and accommodation for the injured worker and his family to attend appointments in Tamworth.	Total costs to AMG below.
Various	In addition to travel and accommodation, AMG paid expenses to assist the injured worker's family during his recovery, including paying for taxi fares for the injured worker's wife (who did not hold a drivers licence), household services and repair costs and paying for regular lawn mowing.	AMG paid over \$7,000 in expenses to assist and support the injured worker's family during his recovery.
Various	AMG representatives made regular visits (at least weekly) to the injured worker at his home to maintain communication with him and to offer assistance to facilitate his return to work.	
Mid-January 2014	Injured worker returned to work at the Narrabri site 3 days a week. For each shift, the injured worker was buddied up with another worker to ensure safety when completing various tasks. The injured worker had restricted capabilities and required constant support from his co-workers at the site.	AMG continued to support the injured worker with viable employment. The injured worker recently resigned from his employment with AMG.

j. If the matter involves a fatality or very serious injury¹, a claim to demonstrate that exceptional circumstances exist that the enforceable undertaking is a more appropriate response than pursuing prosecution

Does the contravention involve a fatality or very serious injury¹?

Yes

No

k. The details of any existing occupational health and safety management system (OHSMS) at the workplace including the level of auditing currently undertaken

AMG has in place, and had in place at the time of the incident, a work health and safety management system that responds to the specific hazards and risks which apply at the Narrabri site. The system is subject to regular internal safety audits conducted by an external work health and safety consultant.

As a strategy to be pursued by AMG as part of this enforceable undertaking, AMG proposes to have in place within the period of the enforceable undertaking, a work health and safety management system that is certified against the principles of with *AS/NZS 4801:2001 Occupational Health and Safety Management Systems – Specification with guidance for use* by an accredited third party auditor.

l. The details of any consultation undertaken within the workplace regarding the proposal of an enforceable undertaking

AMG has consulted with Senior Managers and Work Health and Safety Coordinators regarding the proposal of an enforceable undertaking.

The strategies proposed in this undertaking have been referred to Senior Managers for discussion and dissemination through their individual site safety mechanisms in accordance with section 47 of the WHS Act.

m. A statement of regret that the incident occurred (i.e. not an admission of guilt)

AMG regrets that the incident on 24 March 2013 occurred and that a worker sustained injuries as a result of the incident.

n. Any rectifications made as a result of the contravention

As a result of the incident, AMG made significant structural changes to the management of the Narrabri site in order to ensure implementation of safety requirements on site and to improve safety culture within the business. The personnel changes at the Narrabri site contributed to a major cultural improvement throughout the business, reinforcing AMG's commitment to a more productive and safer workplace.

1. An injury that has caused nervous system damage liable to lead to mental incapacity or permanent restriction of mobility or involves a major amputation of a limb or parts of the body, for example, amputation above the knee or elbow. This term is not defined in the WHS Act; it is used within this document to identify certain circumstances which will trigger additional steps in the enforceable undertaking process.

Additionally, engineering fixes, as well as a number of operational fixes, were implemented at the site. While some of these fixes have engineered out the cause of the incident (i.e. shear bolts breaking), the considerable cost invested by AMG has created a more productive facility with significantly reduced operational safety risks to workers. A summary of the work undertaken as a direct result of the incident is as follows:

Details

- i. A training program on AMG's LOTO procedures was produced and all workers at the Narrabri site underwent training and instruction in relation to the LOTO procedures.
- ii. Emergency stop controls were installed locally at the silo discharge augers at the Narrabri site. Separate isolation points were also installed locally at the bulk silos.
- iii. A Safe Operating Procedure for conveyors and augers was developed and employees were trained in relation to the procedure. Workers were also instructed in relation to the AMG Safety Hazard Identification/Control Risk Assessment procedures. An AMG JSEA for conveyors/augers was also developed for the preparation of work plans.
- iv. Silo, auger and conveyor works:
 - Installed new floor augers from the middle of the silo (screw auger made of thicker galvanised steel tube);
 - Installed new discharge augers from the silo into tube conveyors (removing all shear bolts);
 - Installed automated air rams to open and close the doors of the silos (can be opened and closed from the control room, removing need for manual movements);
 - Purchased 5 under silo tube conveyors to carry grain from each bulk silo into tube conveyor that feeds the garner bin (removing need for manual movements of tube conveyor around the site).

TOTAL AMOUNT SPENT ON RECTIFICATIONS

\$306,375

o. An acknowledgement that the enforceable undertaking may be published and publicised

AMG acknowledges that the undertaking may be published on WorkCover's internet site and may be referenced in WorkCover's publications.

AMG will, within 30 days of the date of this undertaking, cause a public notice to be published in The Land which will be drafted using the script noted in annexure 1. The Land is weekly newspaper based in New South Wales which serves the New South Wales and Australian rural community, offering news, agribusiness, farming, machinery, livestock, regional and market information to readers. The newspaper has a national circulation of 39,401 paid print copies per week and an online subscription base of 3,000 subscribers.

p. A statement of ability to comply with the terms of the enforceable undertaking

AMG acknowledges that it has the financial ability to comply with the terms of this enforceable undertaking and has provided evidence with this undertaking to support this declaration.

q. Statement regarding relationships with beneficiaries

AMG acknowledges there are no known current relationships with any of the beneficiaries outlined in the enforceable undertaking, other than the current employees and consultants of AMG.

r. Intellectual property licence

AMG grants WorkCover a permanent, irrevocable, royalty free, worldwide, non-exclusive licence to use, reproduce, distribute, electronically transmit, electronically distribute, adapt, and modify any materials developed as a result of this enforceable undertaking.

s. The person is required to provide information regarding any prior work health and safety convictions

WorkCover requests a list outlining details of any prior work health and safety convictions or findings of guilt under work health and safety legislation² or work health and safety related legislation.

The list is attached as an annexure.

Yes

No

2. Subject to any local legal constraints such as spent conviction legislation.

t. Acknowledgement of enforceable undertakings overview and guidelines

AMG has read and understood Enforceable undertakings – an overview (catalogue no. WC03879), and Enforceable undertakings – guidelines for proposing an enforceable undertaking (catalogue no. WC03878).

Section 2 – Enforceable Terms

a. A commitment that the behavior that led to the alleged contravention has ceased and will not reoccur

AMG commits that the behaviour that lead to the contravention has ceased and that it will take all reasonably practicable steps to prevent recurrence of this type of incident. As outlined in Section 1, paragraph n., AMG has had work performed on its silos to engineer out the risk associated with shear bolts breaking.

b. A commitment to the ongoing effective management of work health and safety risks

AMG commits that it will exercise its best endeavours to ensure the ongoing effective management of work health and safety risks by:

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- conducting all activities in accordance with AMG's existing work health and safety system (as well updating the existing work health and safety system and having the system certified by the third party auditor);
 - performing safety audits and taking steps to address issues arising out of the audits;
 - providing a site specific induction program and regular toolbox talks at the Narrabri site;
 - providing training for workers on key risk areas for the Narrabri site including working at heights, confined spaces, lock out tag out and manual handling;
 - arranging for relevant workers to be trained in work health and safety;
 - arranging for relevant workers to participate in safety leadership and safety culture workshop program.

c. A commitment to disseminate information about the undertaking to workers, and other relevant parties (which may include work health and safety representatives), and in the annual report (if applicable)

AMG agrees to disseminate information about the enforceable undertaking at all of its workplaces through its Work Health and Safety Coordinators and HSRs within 6 weeks of the enforceable undertaking being accepted. Discussions about the enforceable undertaking and the strategies to be implemented will be held at toolbox talks at all AMG sites.

AMG is not required to publish an annual report but will place a link to the enforceable undertaking on the AMG website.

d. A commitment to participate constructively in all compliance monitoring activities of the undertaking

AMG acknowledges that the responsibility for demonstrating compliance with this undertaking rests with the person who has given this undertaking. Evidence to demonstrate compliance with the terms will be provided to WorkCover by the due date for the term.

AMG acknowledges that WorkCover may undertake other compliance monitoring activities to verify the evidence that is provided and compliance with the relevant term. The evidence provided to demonstrate compliance with the undertaking will be retained by the person who has given this undertaking until advised by WorkCover that the undertaking has been completely discharged.

AMG acknowledges that WorkCover may initiate additional compliance monitoring activities, such as inspectors, as considered necessary at WorkCover's expense.

Strategies that will deliver benefits to workers, industry and the community:

e. Strategies that will deliver worker benefits

1. Provide training to Operations Managers and WHS Coordinators – Certificate IV in Work Health and Safety (BSB41412)

Scope: The Operations Managers for each AMG site (Narrabri, Horsham and Bowmans) and the National Operations Manager will complete a Certificate IV in Work Health and Safety (BSB41412). AMG currently has two Work Health and Safety Coordinators in the business who will also complete a Certificate IV in Work Health and Safety as part of AMG's commitment to up-skilling employees in safety roles.

Tangible outputs: The relevant AMG personnel will become trained in the following, being the course learning outcomes:

- implementing and supporting the workplace work health and safety management system;
- preparing and advising workplace personnel in dealing with work health and safety issues;
- understanding work health and safety legislative requirements and assisting with monitoring workplace compliance;
- implementing work health and safety initiatives and processes to support organisational work health and safety goals;
- applying knowledge of risk assessment to contribute to the selection of risk assessment techniques, tools and processes for common hazards in the workplace; and
- contributing to setting up and running of work health and safety consultation and participation processes.

Beneficiaries / audience: Operations Managers (3), National Operations Manager (1) and Work Health and Safety Coordinators (2) who will all undertake the Certificate IV training and all workers and other persons at AMG workplaces. The Certificate IV qualification will provide the relevant AMG personnel above with practical knowledge and skills to enable them to provide current work health and safety advice and assistance with improving safety at all AMG sites.

Delivery method: Training will be delivered by a registered training organisation, by both face to face course delivery (varying from 5 – 9 days according to training provider) and online delivery of course content.

Timeframe for delivery: All relevant AMG personnel to commence and complete (and attend face to face training where appropriate) all course requirements within 12 months from the date of acceptance of the enforceable undertaking.

Safety outcome: The AMG personnel who will complete the Certificate IV training will gain the knowledge and skills to contribute to and lead a number of safety outcomes including ongoing compliance with AMG's work health and safety management system and greater understanding of work health and safety legislation and work health and safety issues at the AMG sites.

Total estimated cost: \$33,870

2. Gap Analysis Audit of Existing Work Health and Safety Management System

Scope: AMG will engage an accredited third party auditor, WSP Environmental Pty Ltd (**WSP**), to conduct a gap analysis audit of the current work health and safety management system to determine the level of compliance with the requirements of *AS/NZS 4801:2001 Occupational Health and Safety Management Systems – Specification with guidance for use*.

Tangible outputs: The audit will provide AMG with information and advice regarding the current work health and safety management system, including:

- verifying compliance with work health and safety policies and procedures that have been established; and
- identifying any gaps in compliance where additional controls are required.

Beneficiaries / audience: All workers and other persons at AMG workplaces.

Delivery method: AMG will engage WSP to conduct the initial gap analysis audit to review systems and procedures and identify any gaps and recommend improvements to AMG. WSP has agreed to undertake the audit on behalf of AMG.

Timeframes for delivery: Initial gap analysis audit to be commenced and completed by WSP within 6 months from the date of acceptance of the enforceable undertaking.

Safety outcome: AMG's compliance with its work health and safety management system is assessed and any additional control measures are identified to ensure compliance with the standard.

Total estimated cost: \$15,000

3. Develop a Certified Work Health and Safety Management System

Scope: Following the initial gap analysis audit, AMG proposes to implement recommendations from the initial gap analysis audit to improve and further develop its existing work health and safety management system in order to have in place in the period of this enforceable undertaking, a work health and safety management system that is certified by an accredited third party auditor as being compliant with *AS/NZS 4801:2001 Occupational Health and Safety Management Systems – Specification with guidance for use*. Training will be delivered to all staff on the work health and safety system.

AMG will engage an accredited third party auditor, WSP, to audit the work health and safety management system for accreditation as well as carry out two successive yearly audits of the system to ensure ongoing compliance with the standard.

Tangible outputs: AMG will develop a work health and safety management system which is certified as compliant with the principles of *AS/NZS 4801:2001 Occupational Health and Safety Management Systems – Specification with guidance for use*. Staff will be trained on the work health and safety management system. Ongoing compliance will be ensured through two successive yearly audits of the system.

Beneficiaries / audience: All workers and other persons at AMG workplaces.

Delivery method: AMG will be responsible for undertaking work on its existing work health and safety system to ensure it satisfies the principles of *AS/NZS 4801:2001 Occupational Health and Safety Management Systems – Specification with guidance for use*. Training on the work health and safety system will be delivered to all staff. The subsequent compliance audits of the work health and safety management system are to be undertaken by an accredited third party auditor against the principles of *AS/NZS 4801:2001 Occupational Health and Safety Management Systems – Specification with guidance for use*.

Timeframes for delivery: AMG's work health and safety management system will be further developed to meet the principles of *AS/NZS 4801:2001 Occupational Health and Safety Management Systems – Specification with guidance for use* within 12 months from the date of acceptance of the enforceable undertaking. The updated work health and safety management system is to be certified by an accredited third party auditor within 18 months from the date of the acceptance of the enforceable undertaking. Compliance audits to be completed by an accredited third party auditor yearly for the next two years following the initial certification.

Safety outcome: A certified work health and safety system will deliver improved safety processes and safety management to benefit all workers and other persons at AMG workplaces. Training to all staff regarding the work health and safety management system will promote awareness and compliance with AMG's policies and procedures. External auditing of the work health and management system will ensure AMG's ongoing compliance.

Total estimated cost: \$65,000

4. Provide training to Senior Executives and Managers – Work Health and Safety Leadership and Culture Workshop

Scope: The Australian Work Health and Safety Strategy 2012 – 2022 produced by SafeWork Australia sets out a number of outcomes developed to achieve healthy, safe and productive working lives. Those outcomes include:

- (1) Reduced exposure to hazards and risks;
- (2) Improved hazard controls;
- (3) Improved work health and safety infrastructure; and
- (4) Reduced incidence of work-related death, injury and illness.

To achieve these outcomes, seven action areas have been identified to collectively contribute to the delivery of the above outcomes. One of these action areas is safety leadership and culture.

The AMG Operations Managers, National Operations Manager, Commercial Manager and Chief Executive Officer will attend a Work Health and Safety Leadership and Culture Workshop to ensure the Senior Executives and Managers of AMG have the skills and knowledge to oversee the effective implementation of a work health and safety system at AMG and encourage a culture of openness and willingness to improve throughout the AMG business.

Following the external workshop, AMG will develop and facilitate an internal training session on safety leadership and culture to be delivered to the workers at each AMG site by the Operations Manager for each site.

Tangible outputs: Training will be delivered to AMG Operations Managers (3), National Operations Manager, Commercial Manager and Chief Executive Officer and will provide the senior executives and managers of AMG with the knowledge and skills to:

- recognise key components of a positive safety culture;
- measure safety culture in the AMG business; and
- influence and improve safety culture in the AMG business.

The training will also assist officers of AMG to achieve compliance with their due diligence obligations under the WHS Act.

Internal safety leadership and culture training to be delivered to workers at each AMG site will ensure that employees at all levels within the business are aware of AMG's commitment to improving safety culture and how a positive safety culture is to be achieved at AMG.

Beneficiaries / audience: Operations Managers (3), National Operations Manager, Commercial Manager and Chief Executive Officer will acquire relevant safety leadership skills to recognise and improve the safety culture at AMG. All workers at AMG will benefit from an improved safety culture led from a senior management and executive level.

Delivery method: 1 day workshop to be developed and delivered by an external work health and safety training provider, People and Risk Pty Ltd. People and Risk Pty Ltd has agreed to provide the training to AMG.

Following the workshop, AMG will develop and facilitate a half day internal training session on safety leadership and culture to be delivered to the workers at each AMG site by the Operations Manager for each site.

Timeframes for delivery: Training to be completed by Operations Managers, National Operations Manager, Commercial Manager and Chief Executive Officer within 6 months from the date of acceptance of the enforceable undertaking.

Internal training to be developed and delivered within 12 months from the date of acceptance of the enforceable undertaking.

Safety outcome: Workers at all levels within AMG (from senior executives to workers at each AMG site) will acquire relevant safety leadership skills to recognise and improve the safety culture at AMG. An improved safety culture will benefit all workers and will contribute to AMG achieving the outcomes of the Australian Work Health and Safety Strategy 2012 – 2022 produced by Safe Work Australia.

Total estimated cost: \$19,555

5. Develop a Work Health and Safety Due Diligence Guideline

Scope: Following the Work Health and Safety Leadership and Culture Workshop delivered to senior executives and managers of AMG, AMG will develop a Due Diligence Guideline for AMG which will document advice and guidance for AMG's officers as to their personal obligations under work health and safety legislation and what steps officers can take to discharge those obligations.

The Due Diligence Guideline will also implement AMG's expectations for senior managers and executives of AMG to exercise strong personal leadership in relation to work health and safety as well as promoting the creation of a positive work health and safety culture at AMG.

Tangible Outputs: The Due Diligence Guideline will provide a structure for AMG officers to ensure that:

- they acquire and keep up to date knowledge of work health and safety matters;
- they gain an understanding of the nature of the operations of AMG and generally of the hazards and risks associated with those operations;
- they ensure that appropriate resources and processes are used within AMG's business to eliminate or minimise risks to health and safety from work carried out in the business;
- they ensure that AMG has appropriate processes for receiving and considering information regarding incidents, hazards and risks and responding in a timely way to that information;
- they ensure that AMG has and implements, processes for complying with their legal work health and safety obligations; and
- there is regular verification of the effectiveness of AMG's processes and resource allocation.

AMG senior managers and executives of AMG will also be accountable for driving and leading a positive safety culture at AMG.

Beneficiaries / audience: Officers of AMG will benefit from the Due Diligence Guideline which will provide advice and guidance as to how officers of AMG can discharge their obligations under the WHS Act. All workers at AMG will benefit from AMG's officers exercising appropriate due diligence activities and an improved safety culture led from a senior management and executive level.

Delivery method: An external consultant will be engaged by AMG to develop the Due Diligence Guideline for AMG. The implementation of the new Guideline will be communicated to all staff in accordance with AMG's existing communication and consultation procedure, consisting of toolbox meetings at each site and staff will be required to acknowledge acceptance of the new Guideline. The Guideline will form part of AMG's existing work health and safety management system. Electronic copies of those policies and procedures are located centrally on an internal server and copies are made available to all staff through each site's Manager.

Internal training in relation to the new Guideline will be undertaken with senior executives and other officers of AMG to whom the Guideline will apply.

Timeframes for delivery: Development of the Due Diligence Guideline will commence within 6 months and will be completed within 12 months from the date of acceptance of the enforceable undertaking.

Safety outcome: The senior managers and executives of AMG will be accountable for driving safety leadership and a positive safety culture at AMG.

Total estimated cost: \$7,500

Total estimated cost of benefits to workers

\$140,925

f. Strategies that will deliver industry benefits

6. Development of a Case Study to be published in Australian Grain

Scope: AMG will prepare a case study of the incident at the Narrabri site to be published in Australian Grain. Australian Grain is a bi-monthly magazine providing technical and marketing information to the Australian grain industry.

The case study to be published will outline how the incident involving the injured worker occurred at the Narrabri site, how the causes of the incident were addressed and how future incidents of the same nature can be avoided in the industry.

Tangible outputs: Educate grain industry stakeholders regarding the cause of the incident, implications of the incident and lessons learned by AMG as a result of the incident to avoid a similar incident occurring at other workplaces.

Beneficiaries / audience: Australian Grain has a total national circulation exceeding 15,000 larger scale grain growers.

Delivery method: AMG will prepare a case study according to the requirements for publication in Australian Grain. Australian Grain has agreed to publish the case study prepared by AMG. The cost of publication of the case study will be met by AMG.

Timeframes for delivery: AMG will prepare the case study and submit the case study for publication in Australian Grain within 3 months of the date of acceptance of the enforceable undertaking. The case study is to be published in an edition of Australian Grain within 6 months of the date of acceptance of the enforceable undertaking.

Safety outcome: Publication of the case study will increase awareness in the grain industry though providing a practical example of how the incident at the Narrabri site occurred and how the incident causes were addressed to prevent future incidents occurring. Raised awareness of the incident within the grain industry may prevent similar incidents occurring in the future at other workplaces.

Total estimated cost: \$5,800

7. Updating Existing Contractor Induction Program for Carriers and Producers at all AMG Sites

Scope: AMG has an existing site specific induction program for both AMG workers and also contractors attending AMG sites.

AMG will upgrade its existing contractor induction training program by engaging Ag in Compliance to develop an online suite of site specific contractor induction programs for all AMG sites for carriers and producers attending the sites. AMG will purchase the developed suite of induction modules from Ag in Compliance. AMG's contractor induction program will be made available online through the Ag in Compliance Ag Induction Manager available at: www.TrainAg.com.au/AMG.

Ag in Compliance is an online based company that develops tools to help primary producers meet their work health and safety obligations. Through an online training and compliance platform, the Ag Induction Manager will inform producers and carriers of the risks and requirements for entering AMG sites to deliver or receive goods.

At present, AMG has approximately 300 individual producers or carriers that regularly attend at each AMG site (Narrabri, Horsham and Bowmans). Each producer or carrier attending an AMG site will be required to undertake the new online induction program before being allowed access to the AMG site.

Tangible Outputs: Producers and carriers will be required to complete the updated induction training either prior to attending an AMG site or on arrival at an AMG site. Once the induction program is completed, each participant will receive an Induction Card which will allow the producer or carrier future access to the AMG site as an inducted contractor. The Induction Card will also allow for better record keeping in relation to contractor site inductions.

Producers and carriers that will undertake the updated induction training will gain a basic level of induction to AMG sites and will be better equipped to recognise and manage the risks at the AMG sites as well as their own sites.

Beneficiaries / audience: The updated induction training will benefit all contractors attending AMG sites, including:

- Producers – customers of AMG who conduct their own deliveries or pick-ups from AMG sites;
- Carriers – representatives of freight companies who deliver or pick-up from AMG sites.

Workers at AMG will also benefit from dealing with producers and carriers that have been inducted to AMG sites.

Both AMG and the producers and carriers attending AMG sites will benefit from the improved recordkeeping capabilities of the Ag in Compliance system.

Delivery method: The updated induction program will be developed by AMG in consultation with Ag in Compliance. The content of the modules will be written and developed by Ag in Compliance, based on specific material to be provided by AMG. AMG will purchase the suite of induction modules from Ag in Compliance and provide the training to producers and carriers through the Ag in Compliance Ag Induction Manager available at: www.TrainAg.com.au/AMG.

AMG will require all producers and carriers attending at AMG sites to complete the induction modules. This requirement will be communicated to all producers and carriers in AMG's database of producers and carriers attending at AMG sites. AMG will email all producers and carriers listed in the database to inform them of AMG's updated induction requirements, directing the recipients to complete the induction modules online before attending at AMG sites. Producers and carriers will also have the option to complete the induction training on site when they arrive at AMG sites.

Once completed, each inducted participant will receive an Induction Card to certify that they have completed the induction program. The Induction Card will allow the holder to access all of AMG's sites.

The updated induction program will be made available to producers and carriers to complete free of charge. The cost of each participant becoming inducted and the provision of the Induction Card will be charged to AMG by Ag in Compliance.

Timeframes for delivery: Development and implementation of the updated induction program in consultation with Ag in Compliance to be commenced within 2 months and completed within 6 months of the acceptance of the enforceable undertaking. The online induction program is to be made available to producers and carriers following final completion of the modules. The induction modules will be available on an ongoing basis through Ag Induction Manager.

Safety outcome: All producers and carriers attending the AMG sites will have a basic induction to the AMG sites. The site specific induction training for producers and carriers is designed to increase awareness and understanding of the work health and safety risks and hazards at AMG sites and to encourage safe behaviours in all other workplaces in the agriculture industry.

For AMG, Ag Induction Manager will provide an efficient way to deliver induction training to producers and carriers while ensuring that risks are communicated and appropriate recordkeeping is maintained.

	Total estimated cost:	\$27,300
Total amount to be spent on benefits to industry		\$33,100

g. Strategies that will deliver community benefits

8. Development of a Regional Television Advertising Campaign – Agricultural Chemical Safety

Scope: AMG will partner with WorkCover to develop and deliver a regional television advertising campaign based on WorkCover’s Agricultural Chemicals Safety Alert.

The agricultural sector uses a variety of pesticides to protect plants, animals and agricultural products from harmful pests and diseases. Many of these pesticides contain hazardous chemicals that can have short and long-term health effects if not managed safely. The key messages of the campaign will include:

- substitute hazardous chemicals for safer alternatives;
- read up-to-date safety data sheets;
- wear the right protective gear;
- consider other ground workers or family who might be exposed;
- alert workers and family about the risks associated with the chemicals being used; and
- talk to your doctor if you notice a change in your health.

Where appropriate (i-l)

i. A commitment to establish and maintain (or maintain if a system already exists) an occupational health and safety management system (OHSMS)

AMG is committed to ensuring its work health and safety management system complies with the principles of *AS/NZS 4804: 2001 Occupational health and safety management systems – General guidelines on principles, systems and supporting techniques and ensuring compliance* within 12 months from the date of signing the enforceable undertaking.

AMG acknowledges that the work health and safety management system will be maintained in accordance with the standard.

j. A commitment to ensure the OHSMS is audited by third party auditors

AMG commits to ensuring the work health and safety management system will be audited by accredited third party auditors that meet the principles of *AS/NZS 4801:2001 Occupational Health and Safety Management Systems – Specification with guidance for use*, as set by WorkCover in accordance with established timeframes.

AMG acknowledges that the auditors selected to perform work health and safety management system audits will meet the qualification requirements as set by WorkCover.

AMG acknowledges that details of the auditors' qualifications against the stated requirements will be provided with audit reports submitted to WorkCover.

AMG acknowledges that an initial third party audit will be undertaken within 12 months of the undertaking being accepted and two further third party audits will be undertaken during the course of the enforceable undertaking.

k. A commitment to provide a copy of each finalised OHSMS audit report to WorkCover

AMG acknowledges that audit reports received from the auditor will be sent to WorkCover, within 2 weeks of the audit along with a letter certifying that the report has not been altered from the copy provided to the person by the auditor.

AMG acknowledges that within 1 month of receipt of the auditor's written report, WorkCover will be advised of the intended action in addressing each of the report's recommendations.

l. A commitment to implement the recommendations from these audits (unless otherwise negotiated with WorkCover)

AMG commits to fully implementing the intended actions arising from the audit within 3 months from receiving the audit report from the work health and safety management system auditor unless otherwise agreed by WorkCover.

Section 3 – Offer of undertaking

OR

I offer this undertaking and commit to the terms herein.

As a duly authorised person of Australia Milling Group Pty Limited, I offer this undertaking and commit to the terms herein.

Signed:
[Person]

Signed: 

Name:

Name: 

Position:

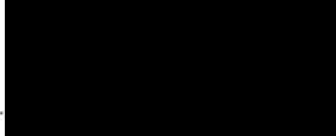
Position: Chief Executive Officer

Dated at this day
[suburb]
of
[month] [year]

Dated at Toowoomba this day 20th
of August, 2015

Section 4 – WorkCover’s acceptance of undertaking

I accept this undertaking as an enforceable undertaking under section 216 of the WHS Act.

Signed: 

Name: VIVEK BHATIA

Position: CHIEF EXECUTIVE OFFICER, WorkCover NSW

Dated at SYDNEY this 27th day of AUGUST, 2015
[suburb] [month] [year]