

22 July 2019

ENFORCEABLE UNDERTAKING

Part 11

Work Health and Safety Act 2011

The commitments in this enforceable undertaking
are offered to SafeWork NSW

by

Boral Cement Limited

ACN 008 528 523

Privacy statement

SafeWork NSW respects your privacy and is committed to protecting personal information. The information provided on this document is for the purpose of making an undertaking to SafeWork NSW given for the purposes of part 11 of the WHS Act. This information will be managed within the requirements of the current state government privacy regime.

SafeWork NSW may publish the undertaking and the information contained in it for purposes identified in the undertaking or for other appropriate legal purposes in various publications such as newspapers and on its website. SafeWork NSW may be required to disclose personal information to other regulatory agencies in accordance with other law enforcement activities which may be conducted as part of an investigation. Further information on our privacy policy is available at www.SafeWork.nsw.gov.au

Enforceable Undertaking

Purpose

The purpose of this enforceable undertaking is to document the undertakings offered to SafeWork NSW 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 Regulations 2011 (**the Regulations**).

Section 1 – General information

a. Details of the person proposing the undertaking

Registered Address:	Level 18, 15 Blue Street North Sydney NSW 2060
Postal address:	PO Box 1228 North Sydney NSW 2059
Telephone contact:	██████████
Email address:	██
Legal structure:	Boral Cement Limited (Boral Cement)
Type of business:	Manufacturing, distribution and supply of cement related construction materials.
Commencement date of the entity:	22 April 2000
Number of workers:	Full-time: 432 Part-time: 7 Casual: 1
Products and/or services:	Boral Cement manufactures and supplies a wide range of cementitious products used by the building and construction industries in Australia including other parts of the Australian business of the Boral Group (Boral Australia). These products include both 'bulk' and 'bagged' cements; cement blends, and dry mixes with a variety of applications. The business additionally specialises in the sourcing and delivery of a range of dry and other powder-based products such as oxides, grouts, sands, repair products and demolition agents.
Comments:	Boral Cement's operations are predominantly situated along the east coast of Australia between NSW and VIC. With a total of 13 sites, including four large heavy manufacturing facilities and approx. 440 employees and a number of contractors,

b. Details of the alleged contravention

It is alleged by SafeWork NSW that on 23 January 2016, Boral Cement failed to discharge its obligations as a person conducting a business or undertaking under section 19(1) and 32 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

At Maldon Cement Works on Saturday 23 January 2016 at approximately 11.40am, a contract fitter received crush injuries to both lower legs and feet after a 1.3 tonne bearing housing fell, pinning him to the ground. The bearing housing fell while he and two other contract fitters were in the process of removing the bottom split bearing backing plate in order to apply sealant and loctite to the plate and the bolts securing it to the housing. The task formed part of the specialist overhaul of the Cement Mill No 3 gearbox drive system.

d. An acknowledgement that SafeWork NSW alleged a contravention has occurred

It is acknowledged that SafeWork NSW has alleged that Boral Cement has contravened sections 19(1) and 32 of the WHS Act.

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

Boral Cement understands that the worker suffered crush injuries to his lower body.

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

Were enforcement notices received?

No

or

Yes *Please provide details in the table below.*

Date issued	Notice type	Notice number	Contravention	Action taken in response to notice
23/01/2016	Improvement Notice	018648	Persons may be exposed to a risk of injury from being crushed under old intermediate gears weighing 12 tonnes approximately and packed and held up by 12 timber pallets. You must, so far as reasonably practicable, re-position and pack old intermediate gears stored outside No.3 cement mill motor room. Isolate the area until the rectification work is completed.	Work in area suspended until old intermediate gears repositioned and repacked with additional wooden dunnage to stabilise load.
23/01/2016	Improvement Notice	009201	A contractor worker was seriously injured due to gear housing falling on him during the installation of housing to intermediate gear. You must ensure that prior to any further works on the installation of housing to intermediate gear that a full written risk assessment is conducted in consultation with workers. In the meantime isolate the area where reasonably practicable.	Work suspended until adequate risk assessment completed in consultation with workers performing task.

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

Boral Cement 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 contractor worker is employed by a business other than Boral Cement. Boral, is therefore unaware of the details of the workers compensation provided.

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

Does the alleged contravention involve injury to a person?

No

or

Yes Although not a direct employee of Boral, the injured contractor worker and family were offered the following support.

Date	Description of support	Comments
23/1/2016	Offer to workers onsite to use of Boral Employee Assistance Programme (BEAP).	The employer of the injured worker, at the time advised that they have their own EAP provider.
4/8/2016	Boral National Operations Manager [REDACTED] directly contacted the injured worker following the incident to ask about his welfare.	The employer of the injured worker confirmed that he did not wish to be contacted by Boral Cement Limited.

j. The details of any existing work health and safety management system (WHSMS) at the workplace including the level of auditing currently undertaken

Boral has an existing HSEQ management system compliant with AS/NZS 4801:2001. Third party auditing of the system against AS/NZS 4801:2001 is conducted on an annual basis, as part of certification auditing of individual Boral business units.

Boral Australia (including at least one Boral Cement site) is internally audited by the independent Boral Group HSE function (Corporate) against the Boral HSEQ management system on a biennial basis

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

Since the incident in January 2016, the incident details have been discussed with Boral Cement Management, the Maldon site Management Teams and at Maldon site HSR / HSE Committee meetings. The details of the proposed enforceable undertaking has been presented and discussed with the HSRs.

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

Boral Cement regrets that the incident on 23 January 2016 occurred and the Worker sustained injuries as a result of the incident.

m. Any rectifications made as a result of the alleged contravention

Description	\$ Amount
Re-position and pack old intermediate gears stored outside No.3 cement mill motor Room	\$5,000
Structural Engineer to perform in situ assessment of intermediate gear equipment stands and gear placement.	\$10,000
Release Safety Alert and HSE Learning document and toolbox to Boral Cement Workers	Nil
Communicate "Boral Safety on Construction Sites Safety Standard" and "Boral Take Five" procedures to Boral Cement Workers	Nil
"Boral Safety on Construction Sites Safety Standard" training for site Management	Nil

TOTAL AMOUNT SPENT ON RECTIFICATIONS **\$15,000**

n. A commitment that the behaviour that led to the alleged contravention has ceased and will not reoccur

Boral Cement commits that the behaviour that lead to the alleged contravention has ceased and that it will take all reasonably practicable steps to prevent recurrence of this type of incident.

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

Boral Cement commits that it will exercise its best endeavours to eliminate or otherwise reduce as far as is reasonably practicable, work health and safety risks.

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

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

SafeWork NSW 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.

No has had no prior work health and safety convictions.

or

Yes The list has been reviewed by Safe Work NSW.

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

r. Statement regarding relationships with beneficiaries

Boral Cement acknowledges there are no known current relationships with any of the beneficiaries outlined in the enforceable undertaking, other than the current employees of Boral Cement and the injured worker.

s. Intellectual property licence

Boral Cement grants SafeWork NSW a permanent, irrevocable, royalty-free, worldwide, non-exclusive license to use, reproduce, distribute, electronically transmit, electronically distribute, adapt, and modify any materials developed as a result of this enforceable undertaking.

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

Boral Cement 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 SafeWork NSW by the due date for the term.

Boral Cement acknowledges that SafeWork NSW 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 SafeWork NSW that the undertaking has been completely discharged.

Boral Cement acknowledges that SafeWork NSW may initiate additional compliance monitoring activities, such as inspections, as considered necessary at SafeWork NSW's expense.

u. Acknowledgement of enforceable undertakings guidelines

Boral Cement has read and understood SafeWork NSW Enforceable Undertakings Guidelines and Enforceable Undertakings Customer Service Standard.

Section 2 – Enforceable Terms

a. An acknowledgement that the enforceable undertaking will be published and publicised

Boral Cement acknowledges that the enforceable undertaking will be published on SafeWork NSW's internet site and may be referenced in SafeWork NSW's publications.

Boral Cement will, within thirty (30) days of the date of acceptance of this enforceable undertaking, cause a public notice to be published in the Daily Telegraph, which will be drafted using the script provided in Annexure 1, and be no less than 1/8 page in size.

b. A commitment regarding linking the strategy and promotion of benefits to the enforceable undertaking

Boral Cement is committed to ensuring that any promotion of a benefit arising from this enforceable undertaking will clearly link the benefit to the undertaking and that the undertaking was entered into as a result of the alleged contravention.

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)

Boral Cement agrees to disseminate information about the enforceable undertaking within the workplace, including to the members of any health and safety committee, health and safety representatives and all subcontractors working for Boral Cement.

This information will be disseminated through:-

- (i) Internal Boral Cement management email that is to be put up on Boral Cement noticeboards.
Timeframe: Within 2 weeks of acceptance of the enforceable undertaking.
- (ii) Distribution of a toolbox talk to be delivered at sites
Timeframe: Within 4 weeks of acceptance of the enforceable undertaking.

Boral Cement commits that it will publish details of the enforceable undertaking in the first Boral Limited annual report due after the date the undertaking is accepted. The Boral Limited annual report is published by October each year. If the enforceable undertaking is approved in July 2019, then we would expect to include this in our Annual Report for FY2020 which is published in October 2020.

Boral Cement commits that any strategies that involve safety information being provided to the industry and/or community will be subject to SafeWork NSW's review of the content prior to dissemination.

Strategies that will deliver benefits to the workplace, industry and the community

d. Strategies that will deliver workplace benefits

1. Leading Safe Work

Scope:

Revision and implementation of the Safe Systems of Work (SSoW) process with a key focus on management of change. This includes the development and implementation of a training program on the Revised SSoW process that focuses on how the brain works in identifying and managing hazards that are introduced when changes occur. The aim is to develop a better understanding across the workforce of Boral Cement's SSoW process, as well as of how changes can introduce risk and how best to recognise and control these situations using safety psychology, with a particular focus on high risk activities.

In order to measure the effectiveness of this program the initiative also includes a coaching and monitoring program to check and ensure that critical controls are in place for High Risk activities called the "Critical Control Gemba (CCG)". This will require leaders in the business to undertake CCG's in order to verify that critical controls are in place, rectify if they are not in place and provide a coaching and learning opportunity for the workgroup to improve their processes.

The Leading Safe Work initiative is to be provided to Boral Cement employees who use the Safe Systems of Work and Senior Leaders who will set, check and reinforce the changes on an ongoing basis. The materials will also be made available to key Boral Cement contractors and shared through the CCAA (Cement, Concrete and Aggregates Australia) the peak body for the heavy construction materials industry in Australia.

Target issue:

This initiative is designed to directly address the risk of hazardous energy that was present during the incident in January 2016 (in this case stored energy) and the management of change process. Hazardous energy is defined in Boral Group Isolation Protocol (GRP-HSEQ-6-02) as including, but not limited to electrical; hydraulic; pneumatic; thermal; chemical; stored; gravity; pressurised and radioactive energies.

The initiative will help ensure all levels of the Boral Cement workforce are able to clearly understand and manage high risk work onsite. This will be achieved through education and coaching on the SSoW practices and processes used to recognise when changes introduce risk and how best to manage these situations.

This initiative puts in place another layer of proactive checks around high risk tasks and their controls through the CCGs. It creates both an engagement opportunity for all personnel (especially leaders) and provides management with valuable intelligence for review regarding the effectiveness of risk controls.

This links to action areas 1 & 2 of the SafeWork NSW *Work Health and Safety Road Map for NSW 2022* and action area 1 of the SafeWork NSW *Manufacturing Work Health and Safety Sector Plan* through prioritising harms where the most significant WHS risks exist, embedding the health and safety landscape and creating a safe environment and worker capability within the workplace.

Tangible outputs / deliverables:

Initiative 1 will be implemented in accordance with the below delivery table which also highlights the outputs and deliverables of each activity within the initiative. It is expected at this early stage that the training will occur in two modules – (1) Coaching, and (2) Process. Each module will comprise an e-learning session, one day face to face training session and a supporting take home pack.

It is estimated that about a third of Boral Cement personnel will undergo the formal training and a further third will be coached in the changes as a result of the implementation plan. Only those exposed to the safe systems of work processes will be impacted. However, the intent is to roll out this work out across all Boral Australia businesses if the pilot in Boral Cement is successful (this will be done outside the scope of this EU).

Audience / beneficiaries:

Boral				Industry			Community		
Maldon site	Workforce	Leadership	Supply chain	Specific types of workers/work	Safety priorities in the Manufacturing industry	SafeWork NSW	Boral customers	Local community	Australian community
Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N

This initiative targets Boral Cement workplaces and those planning and conducting high risk tasks. Leadership will benefit from the training / coaching and improved intelligence gathered from the Critical Control Gembas regarding the effectiveness of risk controls. All other personnel involved in the planning and execution of work will benefit from the improved processes particularly around the risk associated with change management within a job. Through the involvement and inclusion of contractors, it is hoped this work may influence safety practices across the wider manufacturing industry.

Work health and safety outcome:

This initiative is proposed to achieve the following goals:

Increased knowledge and awareness of Change Management, Boral’s SSoW process and Safety Psychology for all Boral Cement workers through increased awareness of introduction of hazards when tasks change and understanding how best to control these risks in the workplace.

This initiative will work to deliver improved safety ownership, buy in and safety culture throughout Boral Cement. It will also assist with managing risks associated with high risk work that have previously lead to serious injuries and near misses.

This content can easily be shared with other industry groups to assist in sharing safety learnings.

Delivery:

This initiative will commence within 4 weeks of acceptance of the enforceable undertaking and be completed within 18 months of commencement.

Marked (*) deliverables and expenditure reporting will be provided to SafeWork NSW within 1 month of the milestone completion period.

Description	Timeframe ⁽ⁱ⁾	Cost Estimate ⁽ⁱⁱ⁾
<p>Review and Development of the SSoW protocol and supporting documents and tools for workers with a focus on change management requirements throughout. The review will be undertaken and led by WHS involving internal subject matter experts and consultation with the workforce:</p> <p>Outputs / Deliverables:</p> <ul style="list-style-type: none"> • Revised SSoW Protocol (Inclusive of Change Management Requirements)* • SSoW Process flow Chart* • Revised Safe Work Method Statement (SWMS) template (Including an on-the-job assessment)* • Revised Take 5* • Critical Control Gemba templates for High Risk Activities* 	6 months	██████
<p>Develop Training material for Module 1 which includes brain science concepts, habituation, coaching and questioning. Training will be developed by a combination of internal and external expertise (D3 Alliance Pty Ltd)</p> <p>Outputs / Deliverables: Module 1</p> <ul style="list-style-type: none"> • Online E-module Training (Incorporated into online induction program) • Train-the-trainer material for Master Facilitators* • In Person Training package* • In Person Take home pack* 	6 months	██████
<p>Develop Training material for the SSoW process including Critical Control Gambas, on-the-job assessments and managing change. Training will be developed by a combination of internal and external expertise (D3 Alliance Pty Ltd).</p> <p>Outputs / Deliverables: Module 2</p> <ul style="list-style-type: none"> • Online E module Training (Incorporated into online induction program) • Train-the-trainer material for Master Facilitators* • In Person Training package* • In Person Take home pack* 	6 months	██████
<p>Deliver train-the-trainer SSoW and CCG training packages to identified Master Coaches within the business who will facilitate the face to face training in conjunction with an external facilitator.</p> <p>Outputs / Deliverables:</p> <ul style="list-style-type: none"> • Training records for master facilitators* 	9 months	██████

<p>Implement and deliver the online E Modules and face to face sessions for module 1 & 2 to all targeted people and record the details in the Learning management system. Training will be delivered by a dedicated facilitator and supported by master coaches selected and separately trained for this purpose. We are targeting operational influencers for these roles based on strong communication skills, ability to influence, unafraid of change and enthusiastic about making improvements, with credibility as leaders and role models for safety.</p> <p>Outputs / Deliverables:</p> <ul style="list-style-type: none"> • Records of completed module 1 and 2 online E modules* • Records of completed module 1 and 2 training program (2 Day)* • All records for face to face training for modules 1 and 2 are input into the My learning Space learning management system* 	12 months	 
<p>Develop an online tool and mobile app to record, track and report on Critical Control Gembas.</p> <p>Outputs / Deliverables:</p> <ul style="list-style-type: none"> • A mobile app for recording CCGs • An Online dashboard that reports on CCG outputs* 	9 months	
<p>Create and conduct a survey after the initiative implementation to gauge the level of awareness of workers and their view on the effectiveness of the training and its impact on their behaviour.</p> <p>Outputs / Deliverables:</p> <ul style="list-style-type: none"> • Survey tool* • Results of Survey and actions assigned and completed to address issues* 	18 months	
<p>An independent audit program will be undertaken to provide a governance check to verify the Safe Systems of Work changes and associated training has been implemented and effective. This will include an evaluation of the learning competencies gained as a result of the training. This audit will be conducted by a suitably qualified external independent lead auditor.</p> <p>Outputs / Deliverables:</p> <ul style="list-style-type: none"> • Audit Report and actions assigned and completed to address recommendations* • Analysis of incidents following the implementation of the training compared to previous 12 months reporting period. 	18 months	
<p>The entire SSoW review or “Leading Safe Work” strategy will be written up as a case study to be communicated on the Boral website and shared with the CCAA (Cement, Concrete and Aggregates Australia) peak body for the heavy construction materials industry in Australia. This case study will incorporate the program itself, the survey and verification audit findings and the impact on safety performance and incident reporting.</p>	18 months	

(i) Timeframes are listed from the commencement of the enforceable undertaking

(ii) At this early stage of planning, costs and timeframes are estimates based on basic detail only. However, Boral commits to the deliverables and total estimated costs indicated as a minimum baseline.

Total estimated cost:

\$483,000

Strategies that will deliver industry benefits

2. Industry Awareness Campaign on Respirable Crystalline Silica

Scope:

This initiative will outfit a range of trucks used by Boral with crystalline silica safe practice awareness information.

This initiative will complement the Crystalline Silica project drafted in the SafeWork NSW Work Health and Safety Roadmap (Nov. 2018 Version 6), by providing avenues for in-situ advertising to target people in the industry working with materials containing some levels of crystalline silica.

Target issue:

SafeWork NSW is undertaking a project to significantly reduce exposure to priority hazardous chemicals. Crystalline silica has been identified as a priority chemical on which to focus. Research undertaken for SafeWork indicates that an effective communication strategy must contain an element of in-situ awareness. To get the desired changes in culture, behaviour and practices, the people most exposed to the hazard, in their workplaces, should be repeatedly receiving targeted messages from a variety of sources.

Tangible outputs / deliverables:

Boral has a significant presence on the road and on customer and construction worksites. Through the branding of selected trucks for not less than 12 months, and utilising product stewardship processes, Boral is in a position to make a significant contribution to the in-situ component of the SafeWork awareness campaign on crystalline silica.

Initiative 2 will be implemented in accordance with the below delivery table which also highlights the outputs and deliverables of each activity within the initiative.

Audience / beneficiaries:

Boral				Industry			Community		
Maldon site	Workforce	Leadership	Supply chain	Specific types of workers/work	Safety priorities in the Manufacturing industry	SafeWork NSW	Boral customers	Local community	Australian community
Y/N	<input checked="" type="radio"/> Y/N	Y/N	Y/N	<input checked="" type="radio"/> Y/N	<input checked="" type="radio"/> Y/N	<input checked="" type="radio"/> Y/N	Y/N	Y/N	Y/N

The major beneficiaries of this initiative are the industry workplaces and businesses that make changes resulting from the SafeWork NSW campaign. SafeWork NSW benefit through leveraging Boral trucks and resources to improve traction regards the in-situ element of the campaign. Boral benefits through participation, resulting in increased awareness and checking of current practices against best practice, and contributing collaboratively with SafeWork NSW on an industry wide project.

Work health and safety outcome:

This initiative will expose a significant number of people in cement, concrete and construction industries to awareness information regarding good practices when working with materials containing crystalline silica.

Delivery:

This initiative will commence within 4 weeks of acceptance of the enforceable undertaking and be completed within 18 months of commencement.

Marked (*) deliverables and expenditure reporting will be provided to SafeWork NSW within 1 month of the milestone completion period.

Description	Timeframe ⁽ⁱ⁾	Cost Estimate ⁽ⁱⁱ⁾
<p>Identify / develop suitable crystalline silica awareness messaging for Boral-branded trucks (only).</p> <p>Outputs / Deliverables:</p> <ul style="list-style-type: none"> Electronic book containing awareness material suitable for trucks and approved by appropriate Boral management* Records of review and feedback by appropriate SafeWork NSW personnel on preferred material for use* 	3 months	████████
<p>Identify the truck types and numbers to be targeted for awareness campaign.</p> <p>Outputs / Deliverables:</p> <ul style="list-style-type: none"> Register of trucks used by Boral and available to be used in the awareness campaign* 	3 months	████████
<p>Determine available options for displaying crystalline silica awareness material on trucks e.g. truck curtains, decal stickers etc.</p> <p>Outputs / Deliverables:</p> <ul style="list-style-type: none"> List of options and indicative costs to supply and install on trucks* 	3 months	████████
<p>Develop an execution plan matching trucks with materials and method of display.</p> <p>Outputs / Deliverables:</p> <ul style="list-style-type: none"> Execution plan showing the number and type of trucks being targeted, the specific material to be ordered and installed, timeframe and cost for installation (budgeted and actual)* 	4 months	████████
<p>Organise the ordering of display materials and coordinate the fit out to the selected trucks. Commence campaign in accordance with the execution plan.</p> <p>This will include:-</p> <ol style="list-style-type: none"> Ordering of truck curtains and decals incorporating the awareness material designs; Organising impacted trucks to be scheduled and driven to selected destinations for fit out; Removal and chemical clean (where necessary) of existing display materials; Organising the supplier / installer to travel to selected destinations to execute the fit out on new truck curtains and decals; and Steps (i) to (iv) repeated at the end of campaign to return original branding <p>Trucks will carry the campaign material for a period of time determined by Boral, but not less than 12 months.</p> <p>Outputs / Deliverables:</p> <ul style="list-style-type: none"> Truck in –situ awareness campaign fully commenced. Execution plan delivery showing actions and actual vs estimate costs* 	6 months	████████

<p>Collection of data regarding the communication campaign:-</p> <ul style="list-style-type: none"> • Kilometres travelled displaying awareness material • Geographical coverage impacted by the truck movements • No. of destinations / sites visited • Surveys of a sample of customers whose sites were visited by trucks displaying awareness material regarding the impact of the campaign <p>Outputs / Deliverables:</p> <ul style="list-style-type: none"> • Three (3) Progress Reports indicating performance metrics (this may be incorporated into existing management review metrics / reports at Boral discretion)* 	<p>9 months 12 months 18 months</p>	
<p>Work with Product Stewardship team to ensure crystalline silica advice is included on relevant customer product fact sheets. Any new fact sheet will be reviewed by Safe Work NSW and marked with an enforceable undertaking statement prior to distribution.</p> <p>Outputs / Deliverables:</p> <ul style="list-style-type: none"> • No. of Cement Product Fact Sheets issued over time containing crystalline silica awareness material. 	<p>6 months</p>	

(i) *Timeframes are listed from the commencement of the enforceable undertaking*

(ii) *At this early stage of planning, costs and timeframes are estimates based on basic detail only. However, Boral commits to the deliverables and total estimated costs indicated as a minimum baseline.*

Total estimated cost: \$500,000

Strategies that will deliver community benefits

3. Community Placement

Scope:

This initiative sponsors a WHS Community Placement role with Boral Cement for a period of 12 months. One person from a vulnerable community sector will be provided with an employment opportunity for 12 months in the Boral WHS Team. The candidate will be chosen by engaging in a recruitment process targeting job seekers with precarious socio-economic backgrounds or who are encountering challenging circumstances in order to ensure the relevant community sector is captured. This initiative will include working towards a WHS Cert IV qualification, and gaining a range of on-the-job practical skills and experience.

The local community forms our neighbours, our employees, our customers and our contractors. The Southern Highlands, Shoalhaven and Wollondilly are regional areas where there exist individuals who may be finding it challenging to access the full range of vocational opportunities.

Target issue:

The aim of this initiative is to assist a person from the vulnerable community sector to gain experience in the management of WHS in the manufacturing industry. The person would also have the opportunity to gain a qualification in WHS that may have not been previously available to them. Together, the provided training, skills and experience will provide a positive boost for personal development and future employment outlook.

Tangible outputs / deliverables:

Initiative 3 will be implemented in accordance with the below delivery table which also highlights the outputs and deliverables of each activity within the initiative.

Audience / beneficiaries:

Boral				Industry			Community		
Maldon site	Workforce	Leadership	Supply chain	Specific types of workers/work	Safety priorities in the Manufacturing industry	SafeWork NSW	Boral customers	Local community	Australian community
Y/N	Y	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y	Y/N

The obvious beneficiary of this initiative is the candidate, and less directly their closer friends and family who may also be positively impacted by this opportunity and impacts on the individual.

Other Boral workers and the community will also benefit through increased diversity and engagement with minority culture.

Boral benefits through the meaningful work and contributions that it is expected to be made by the candidate, the personal development of the coaches and mentors, and the reputational value in contributing to the community through such a program.

Work health and safety outcome:

This initiative will have a positive impact on a person from the vulnerable community sector. The positive impact will be financial, educational and developmental in nature and hopefully contribute to the person’s overall wellbeing. It also has the potential to add one more WHS professional into industry. In line with Boral traineeship programs executed in the past, there will be no guarantee of ongoing employment after the 12 month duration. However, at the complete discretion of Boral Australia or Boral Cement, an alternative employment arrangement or placement may be offered. This will depend on the needs of Boral at the time, the suitability of the candidate to meet those needs, and the performance of the candidate over the course of the traineeship.

Delivery:

This initiative will commence within 4 weeks of acceptance of the enforceable undertaking and be completed within 12 months of commencement.

Marked (*) deliverables and expenditure reporting will be provided to SafeWork NSW within 1 month of the milestone completion period.

Description	Timeframe ⁽ⁱ⁾	Cost Estimate ⁽ⁱⁱ⁾
<p>The recruitment and selection of a person into a traineeship of 12 months working in Boral Cement Limited:</p> <p>Outputs / Deliverables:</p> <ul style="list-style-type: none"> Identify local vulnerable community sectors and local support groups through which to communicate and focus the recruitment Record of local support groups contacted* A recruitment and selection process will be used to identify a suitable candidate resulting in the offer of a 12 month WHS traineeship. The selection process will look for characteristics and attributes determined by the Boral Cement WHS team in collaboration with HR and similar in nature to previous traineeship recruitments. These criteria will be identified in the recruitment advertisement (communication) and position description. Records of recruitment communication, position description and signed letter of offer* On-boarding and probationary processes will apply to ensure we invest in someone who will genuinely benefit from the program Records of on-boarding and probation evaluation* <p>Note: Should either the trainee or Boral Cement decide to discontinue the traineeship within the probationary period, then Boral Cement will commit to sourcing alternative candidates until the 12 month traineeship can be delivered or there is mutual agreement between Boral and SafeWork NSW to explore an alternative community initiative.</p>	<p>3 months</p>	<p>██████████</p>

<p>Financial and personal support to pursue a WHS Cert IV qualification within the timeframe of the traineeship.</p> <p>Outputs / Deliverables:</p> <ul style="list-style-type: none"> • Enrolment in an appropriate certified WHS Cert IV course* • Mentoring and coaching to ascertain and support progress on objectives, development and with studies. Informally on a day to day, week to week basis. Formally on a quarterly basis* 	<p>3 months</p>	
<p>Work placement plan designed to provide a variety of training and practical experiences across a broad range of WHS areas and activities. Exposure to positive organisational culture and values. The majority of the spend in this deliverable is the person's salary (expected to be approx. \$55,000)</p> <p>Outputs / Deliverables:</p> <ul style="list-style-type: none"> • Objective setting (job goals and tracking) will be carried out to develop positive behaviour around responsibility, authority and accountability* • Personal development in areas such as working in teams, initiative, drive for results, communication. • Quarterly progress on development and training plans* • Quarterly performance review and feedback (two-way)* 	<p>12 months</p>	

(i) *Timeframe are listed from the commencement of the enforceable undertaking*

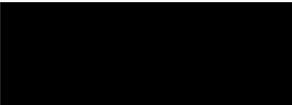
(ii) *At this early stage of planning, costs and timeframes are estimates based on basic detail only. However, Boral commits to the deliverables and total estimated costs indicated as a minimum baseline.*

Total estimated cost:

\$62,000

Section 3 – Offer of undertaking

I offer this undertaking and commit to the terms herein.

Signed:


Name: Rajeev Ramankutty

Position: Executive General Manager Boral Cement Limited

Dated at North Ryde this 22nd day of July, 2019

Section 4 – SafeWork NSW’s acceptance of undertaking

The duration of an enforceable undertaking is determined by the content of the agreed terms. An enforceable undertaking commences and is enforceable once accepted by SafeWork NSW. The enforceable undertaking will be concluded on written advice from SafeWork NSW when all requirements of the undertaking have been satisfactorily executed.

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

Signed:


Name: Anthony Williams

Position: Executive Director SafeWork NSW

Dated at Gosford this 24th day of July 2019
[suburb] [month] [year]

Annexure 1 – Public Notice of SafeWork NSW’s acceptance of undertaking

Notice of Acceptance of an Enforceable Undertaking under Part 11 of the Work Health and Safety Act 2011.

On 23 January 2016, a contract fitter received crush injuries to both lower legs and feet after a 1.3 tonne bearing housing fell, pinning him to the ground, while working on the Cement Mill No 3 gearbox drive system at Boral Cement Limited Maldon Cement Works. The bearing housing fell while the worker and two other contract fitters were in the process of removing the bottom split bearing backing plate in order to apply sealant and Loctite to the plate and the bolts securing it to the housing.

SafeWork NSW investigated the incident and subsequently alleged that Boral Cement Limited contravened section 19(1) and 32 of the Work Health and Safety Act 2011.

This notice has been placed under the terms of an enforceable undertaking and acknowledges acceptance of an undertaking, that is enforceable under the Act, from Boral Cement Limited, ACN 008 528 523 as finalisation of the abovementioned alleged contravention.

The undertaking requires the following actions:

- Implementing a revised SSoW and Management of Change program.
- Implementing in-situ advertising to raise industry awareness on respirable crystalline silica.
- Funding a 12 month Community Placement role within Boral Cement.

The full undertaking and general information about enforceable undertakings is available at www.safework.nsw.gov.au.