
ENFORCEABLE UNDERTAKING

Part 11

Work Health and Safety Act 2011

The commitments in this enforceable undertaking
are offered to SafeWork NSW .

by

Shamrock Electrical Pty Ltd

ACN 124 734 416

Enforceable Undertaking

Purpose

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

Street Address: 15/16 Meadow Way
Banksmeadow NSW 2019

Postal address: PO Box 727
Matraville NSW 2036

Telephone contact: [REDACTED]

Email address: [REDACTED]

Legal structure: Proprietary Company as trustee of unit trust

Type of business: Electrical Contracting

Commencement date of the entity: 2 April 2007

Number of workers: 9 Full time employees

Products and services: Commercial Electrical Contracting

b. Details of the alleged contravention

It is alleged by the SafeWork NSW that between 11/9/12 and 24/10/12 Shamrock Electrical Pty Ltd failed to discharge its obligations as a person conducting a business or undertaking under Clauses 299 (1), 419 (1) and 450 of the Workplace Health and Safety Regulations 2011 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

Shamrock Electrical was contracted by a Principal Contractor to undertake electrical works during a fit out at Royal North Shore Hospital in 2012. Design changes resulted in 6 workers entering the subfloor of Building 30 to run cables. Asbestos lagging on pipes was disturbed as a result of their work and the employees were potentially exposed to friable asbestos.

d. An acknowledgement that SafeWork alleged a contravention has occurred

It is acknowledged that SafeWork NSW has alleged that Shamrock Electrical Pty Ltd has contravened provisions of the Work Health and Safety Act 2011.

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



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
1/11/12	Improvement	7-257918	Health monitoring not being carried out following a friable asbestos respiratory exposure	Health Monitoring undertaken by DDB
1/11/12	Improvement	7-250865	Workers not trained in the identification of asbestos	All employees attended Asbestos Awareness course
1/11/12	Improvement	7-250869	Pre start check of site register for asbestos material not undertaken	Pre Start checklist and briefing amended/

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

Shamrock Electrical Pty Ltd is committed to complying with its obligations under the Work Health & Safety Act 2011 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)

Nil 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 contravention involve injury to a person?

Yes

No

The affected persons (6) were employees of Shamrock Electrical Pty Ltd (5) and of NECA Group Training (1).

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

Date issued	Description of support	Comment
Oct 12 – to date	We have been in verbal contact with our employees since the time of the incident to ensure there were no health concerns or subsequent anxiety issues.	No employees have had any health affects to date. Any initial anxiety was alleviated by the results of the Health Monitoring.

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 work health and safety management system (WHSMS) at the workplace including the level of auditing currently undertaken

Shamrock Electrical Pty Ltd has an existing occupational health and safety management system but this has not been assessed against the principles of AS/NZS 4801:2001

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

Shamrock Electrical Pty Ltd has consulted with the affected workers plus all other employees regarding the proposal of an enforceable undertaking.

m. A statement of regret that the incident occurred

Shamrock Electrical Pty Ltd regrets that the incident in October 2012 occurred and that the workers were potentially exposed to asbestos as a result of the incident.

n. Any rectifications made as a result of the contravention

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.

Details	Costs
<p>Asbestos Incident Action Plan</p> <p>An Action Plan was developed to identify:</p> <ul style="list-style-type: none"> • deficiencies in processes and procedures that led to the incident; and • improvements to be implemented to limit likelihood of incident recurring. <p>The Plan focussed on the following areas:</p> <ol style="list-style-type: none"> 1. Checklist of documents to be requested/received on being awarded a contract, and prior to commencement on site, was updated to include: <ul style="list-style-type: none"> - All available Building Reports - Hazardous Substance Register - Asbestos Register if building pre dates 2003 2. Methods to ensure staff are Asbestos aware were broadened to incorporate the following: <ul style="list-style-type: none"> - Induction pack provided to all new employees now includes information on asbestos. - Checklist of qualifications of new employees was amended to include asbestos training course. - All new employees who have not previously completed asbestos training are required to complete the NECA online Asbestos Awareness training course. - Knowledge and training in recognising Asbestos as a hazard is to be kept up to date and refreshed annually for all Supervisors. - A cultural shift has been made such that all employees are more asbestos aware - this shift has been made from Management down with Site Supervisors in particular more diligent in making sure, through the Daily Pre Start Briefings and regular toolbox talks, that all employees are "Asbestos Aware" and that if material is suspected of being, or could be ACM employees are to treat it as if it were. 3. Hazard Reporting was strengthened to incorporate the following: <ul style="list-style-type: none"> - Inductions of all new employees now include a more comprehensive overview of our Safety Management System and the hazard reporting process. - Training in recognising the potential presence of ACM as a hazard has been provided to all Supervisors. - All Supervisors are given refresher training from time to time on completing Hazard Reports and Toolbox Meeting records correctly. 4. First Aid - whilst no first aid was required as a result of this incident and first aid procedures compliant with legislation are in place, it was acknowledged that the majority of staff with first aid qualifications had either left Shamrock or the qualifications had recently expired. We therefore undertook to train a number of staff in First Aid – currently 50% of our workforce has first aid qualifications. 5. A program was undertaken through toolbox talks to improve understanding of the use, care and replacement requirements of PPE 6. A Workplace Climate Survey was undertaken to quantify employee perception of Company's attitude to safety. 	<p>\$1,000</p>

Details	Costs
<p>Hazard Identification and Reporting</p> <p>Development of Project Management checklists, redesign of Daily Pre Start Briefing, Company briefing sessions held to discuss and reinforce the Company's WHS management system and the responsibilities contained therein of hazard awareness and reporting.</p> <p>Hazard alerts and other information on Health and Safety are emailed to all employees on a regular basis to keep their knowledge up to date.</p>	\$2,000
<p>Asbestos Awareness Training</p> <p>Training course organised for all staff. All new staff undertake asbestos awareness training course</p> <p>New Employee Induction Pack was modified to include information on Asbestos Awareness.</p>	\$11,500
<p>First Aid Training</p> <p>First Aid qualifications were updated and additional staff trained.</p>	\$4,000

TOTAL AMOUNT SPENT ON RECTIFICATIONS

\$18,500

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

Shamrock Electrical Pty Ltd acknowledges that the undertaking will be published on SafeWork NSW's internet site and may be referenced in SafeWork NSW's publications.

Shamrock Electrical Pty Ltd will, within 30 days of the date of this undertaking, cause a public notice to be published in the Southern Courier newspaper which will be drafted using the script noted in annexure 1. The Southern Courier newspaper covers Sydney's Eastern Suburbs where Shamrock's office is located and has a readership of 66,000.

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

Shamrock Electrical Pty Ltd 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

Shamrock Electrical Pty Ltd acknowledges there are no known current relationships with any of the beneficiaries outlined in the Undertaking, other than the current employees of Shamrock Electrical Pty Ltd and the injured workers.

r. Intellectual property licence

Shamrock Electrical Pty Ltd grants SafeWork NSW 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

SafeWork 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.

Shamrock Electrical Pty Ltd has no prior work health and safety convictions.

t. Acknowledgement of enforceable undertakings overview and guidelines

Shamrock Electrical Pty Ltd 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

Shamrock Electrical Pty Ltd 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.

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

Shamrock Electrical Pty Ltd commits that it will exercise its best endeavours to the ongoing effective management of work health and safety risks.

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)

Shamrock Electrical Pty Ltd agrees to disseminate information about the undertaking within the workplace, including to the members of any health and safety committee, health and safety representatives, workers and other relevant parties. This information will be disseminated through team meetings and be completed by 3 months following acceptance of Enforceable Undertaking.

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

Shamrock Electrical Pty Ltd 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.

Shamrock Electrical Pty Ltd 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.

Shamrock Electrical Pty Ltd acknowledges that SafeWork NSW may initiate additional compliance monitoring activities, such as inspections, as considered necessary at SafeWork NSW's expense.

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

e. Strategies that will deliver worker benefits

1. Safety Management System Certification

Scope: Shamrock proposes to expand, enhance and improve its current Work Health and Safety System in order to achieve certification in Occupational Health and Safety Management Systems AS4801:2001. Shamrock is yet to commence the process of certification.

Tangible outputs: A certified Occupational Health and Safety Management System

Beneficiaries: All employees of Shamrock together with other contractors and clients with whom we work.

Delivery method: Shamrock's Business Manager will be responsible for undertaking work on our existing WHS Management system to close any gaps in our current system. Certification and subsequent external compliance audits are to be undertaken by a qualified external auditor and certification body.

Timeframes: Certification is to be achieved within 24 months of approval of this Enforceable Undertaking.

Safety outcome: A certified Occupational Health and Safety Management System ultimately resulting in a safer work environment from improved integrity and robustness of our WHS processes.

Total estimated cost: \$16,700

2. Work Health and Safety Training

Scope: Management and employees will undergo additional Work Health and Safety training targeted at their individual position in Shamrock to improve companywide knowledge and skills across a range of WHS issues. The aim of this training is to close any skills gap and reinforce current good work practices

- a. Senior Management (2 staff) will undertake a 3 day workshop run by National Safety Council Australia (NSCA) covering the topics below. This additional training will build WHS competence at Senior Management level and give greater confidence to staff of management commitment to WHS. It will serve to build WHS leadership skills and develop greater competence in fulfilling responsibilities under the Company's WHSMS.

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- Safety Culture in Your Organisation
 - WHS Management Systems in Your Organisation
 - WHS Incident Reporting in the Workplace
 - Organisational Risk for Senior Managers
 - Risk Management and Preparing a SWMS
 - Bullying and Harassment Awareness
 - Incident Investigation
 - Due Diligence for Managers
- b. Site Supervisors (2) will undertake Risk Management for Supervisors Training Course organised by National Electrical and Communications Association (NECA). This is a one day course covering the following topics:
- WHS legislation overview
 - Duty of Care
 - Responsibilities of employers (person conducting a business or undertaking)
 - Duty of Officers (managers)
 - Responsibilities of employees (workers)
 - Responsibilities of those in control of workplaces
 - Role and function of SafeWork NSW
 - Offences and Penalties
 - Incident Notification – Reportable Incidents
 - Consultation and Health and Safety Representatives (HSRs)
 - WHS Risk Management
 - Hazard Identification
 - Risk Assessment
 - Risk Control
- c. Health and Safety Committee Representative, to be elected by Shamrock staff, will undertake Health and Safety Representative Training organised by NECA.
- Shamrock currently consults with its workers on an informal basis. Regular communication regarding WHS issues is held with employees as part of Toolbox talks, Daily Pre Start briefings and general site discussions. To date employees have been satisfied with our consultation arrangements however we propose as part of this Undertaking, a formalisation of the consultation arrangements through the appointment of an elected HSR. We consider that the appointment of a HSR and the subsequent training involved will enhance the current consultation process and provide greater avenues of input from staff.
- d. All site staff will undertake the following training courses provided by NECA (if not previously completed):

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- Risk Management (with exception of Site Supervisors) – online course of 2hrs duration for 4 staff
 - Low Voltage Switchboard Rescue training (with exception of apprentices) – 1 day face to face training for 4 staff
 - Electrical Safety Refresher (with exception of apprentices) – 1 day face to face training for 4 staff
 - Asbestos Awareness – online course of 2hrs duration for 2 staff
 - Common Workplace Hazards – online course of 2hrs duration for 6 staff
 - Managing Incidents (with exception of apprentices) – online course of 2hrs duration for 4 staff
- e. All staff will take part in an in-house Asbestos Safety Workshop.
Since the incident to which the EU relates, all staff have completed Asbestos Awareness training. A 2 hour in-house Workshop will aim to reinforce and refresh information and skills learned. Training will be run by Shamrock management team and will cover the following topics:
- Main types of asbestos used in Building Products
 - Use of Asbestos in Electrical systems
 - Common asbestos forms encountered by electricians
 - Shamrock work procedures on identifying presence of asbestos
 - Importance of following correct work procedures

Tangible Outputs: Increased work health and safety knowledge and competencies aligned with each employee's role within the organisation.

Beneficiaries: Management and employees of Shamrock.

Delivery Method: With the exception of the in-house Asbestos Safety Workshop training will be face to face training courses and online modules run by and/or organised by NSCA and NECA.

Timeframe: Training will be completed within 12 months of acceptance of Enforceable Undertaking.

Safety Outcome: Increased work, health and safety awareness of all staff together with greater knowledge and skills ultimately leading to improved safety processes and performance.

Total estimated cost: \$15,550

3. Development and Enhancement of Workplace Safety Culture

Scope: To further develop existing employee involvement and engagement and to strengthen our positive safety culture such that excellence is encouraged and continuous improvement is inbuilt, a multifaceted approach will be adopted.

Our people are considered key in any approach taken by Shamrock in making improvements to our WHS system. We therefore consider it imperative that we involve staff at every stage of the process.

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- a. Initially workshops will be held with key staff to review our current safety strategy and to develop it into a robust strategy for the future.
 - b. An assessment of existing safety culture will be undertaken via interviews and surveys to determine our current position and set a starting point to allow us to measure our progress.
 - c. A workshop will then be held with all staff to set clear expectations of our safety strategy going forward and to align thinking between all staff and management. During this workshop we will begin to market the safety excellence journey on which we are about to proceed. We will outline what we have already developed and canvass for comments and suggestions.
 - d. In order to brand our safety strategy, promote it as a symbol of excellence, and create support and buy in for the process a visual logo and a slogan for our workplace safety will be designed by employees. It will also serve as a reminder to all staff to always consider the safety of themselves and their co-workers during their day to day activities.
 - e. A Safety Incentive Scheme will be launched to recognise and encourage innovative ideas and contributions to WHS. Recognising that it is people not policies that prevent accidents and determine the culture of safety the scheme will aim to build safety awareness through frequent reinforcement, team building, group interaction, positive peer pressure and constant communication. Awards will be structured such that recognition is given to those that make valid suggestions and larger awards given when those suggestions are adopted. The scheme will also recognise contributions in the areas of Proactive Safety and Safety Leadership. In conjunction with the review of the current safety strategy the scheme will be designed with the input of key staff to ensure that incentives are meaningful and will achieve desired outcomes for both the company and the staff.
 - f. Layered upon our safety campaign, our structure for consultation will be formalised with the appointment of a Health & Safety Representative and a calendar of WHS meetings arranged. This formal structure will allow all workers to be confident that proper and regular consultation is given priority and that there are clear responsibilities and accountabilities at all levels of the company.

Tangible outputs: An enlarged Health and Safety Management system with a broader base of Health and Safety Awareness together with improved employee engagement and consultation arrangements. The intended outputs of the enlarged system are:

- a. Current strategy reviewed and developed into a strategy for the future
- b. Existing safety culture assessed as a starting point for future development
- c. All Staff informed and brought on board with newly developed strategy
- d. Logo and slogan developed
- e. Safety incentive scheme developed
- f. HSR appointed to represent staff

Beneficiaries: All employees of Shamrock and by extension their families as it is likely the skills and capabilities learnt will impact off-the-job injuries as well.

Delivery method: Face to face meetings and workshops, and email communications with staff.

Timeframes: To be in place within 12 months of approval of this Enforceable Undertaking:

- a. 5 months from date of Enforceable Undertaking
- b. 7 months from date of Enforceable Undertaking
- c. 10 months from date of Enforceable Undertaking
- d. 12 months from date of Enforceable Undertaking
- e. 12 months from date of Enforceable Undertaking
- f. 10 months from date of Enforceable Undertaking

Safety outcome: Safer systems of work and shared understanding of safety issues leading to safer behaviour in the workplace.

Total estimated cost: \$13,500

Total estimated cost of benefits to workers \$31,750

f. Strategies that will deliver industry benefits

4. Industry Forum with 10 Electrical Contractors

Scope: To educate and assist other electrical businesses from the lessons learnt by Shamrock resulting from the asbestos exposure incident and the subsequent redevelopment of our Safety Management System, Shamrock will facilitate a "Rethinking Safety Forum" amongst 10 of our peer companies. We consider it beneficial to limit the number of contractors involved in the forum to enable it to be interactive and allow a helpful amount of discussion to be held.

Shamrock will arrange to host and lead a workshop style meeting, with participation by NECA to attest to the independence of the workshop (NECA agreement to participation held). This workshop will aim to ensure that a number of our contemporaries operating in the electrical industry will benefit from our experience and the knowledge gained. Topics to be covered include:

- an outline of the asbestos problem in Australia;
- increased skills required by trades to clearly identify materials that contain asbestos and recognise situations where there is risk of exposure;
- the need for targeted strategies to increase awareness of the dangers of asbestos;
- Shamrock's experience: the contributing factors and gap in procedures and knowledge that led to our asbestos exposure incident;
- the experience of overhauling our Safety Management System and the inherent challenges faced by a small business;
- and the knowledge gained in the quest of taking our existing safety culture and building it into a dynamic and resilient one.

Tangible outputs: Sharing of information and education of industry peers through a workshop style meeting. A presentation will be made on the above topics with a corresponding handout and adequate time for discussion allowed.

Beneficiaries: 10 electrical contractors

Delivery method: Face to face forum with peer companies

Timeframes: To be held within 15 months of acceptance of Enforceable Undertaking

Safety outcome: Shared experience and education of peers of the incident, implications, lessons learnt and the key markers and benefits of the safety excellence strategy and development of culture of continuous improvement.

Total estimated cost: \$2,000

5. Case Study presentation at NECA Safety Committee Meeting which is held in conjunction with Sydney Industries Electrical Safety Network

Scope: A presentation will be made at a bi-monthly NECA Safety Committee meeting which is held in conjunction with the Sydney Industries Electrical Safety Network (SIESN). SIESN is an association of organisations connected to the electricity and communications industries with a common interest in safety. Both the NECA Safety Committee and SIESN aim to promote electrical safety excellence through shared experience and learning.

The foundation of the case study presentation will be the occurrence of the incident, lessons learnt, the opportunities subsequently identified for improvement in the delivery of our safety practices and the way forward for building capability within our workforce.

Tangible outputs: Open sharing of incident to promote understanding of how and why the incident occurred and assist in the prevention of similar incidents occurring in other organisations.

Beneficiaries: There are currently 27 contracting companies represented on the NECA Safety Committee with all NECA members invited to attend the meetings. The SIESN network is supported by approximately 50 organisations including Ausgrid, Australian Elevator Association, Electrain Pty Ltd and others. SIESN is also supported by SafeWork NSW.

Delivery method: Case study presentation at one of the bi-monthly meetings.

Timeframes: To be held within 8 months of acceptance of Enforceable Undertaking.

Safety outcome: Increased awareness of potential exposure to asbestos in the electrical industry. Increasing this awareness has far reaching effects such as potentially reducing the number of similar incidents, increased knowledge of the pervasiveness of asbestos in construction throughout the Australian community, improved asbestos risk management and reduced costs associated with workplace incidents.

Total estimated cost: \$500

Total estimated cost of benefits to industry \$2,500

g. Strategies that will deliver community benefits

6. Donation to Asbestos Diseases Research Institute

Scope: Donation of \$2,500 to Asbestos Diseases Research Institute / Foundation (ADRI)

Tangible Outputs: Financial support provided to the ADRI to assist them in fulfilling their mission of "improving the diagnosis and treatment of asbestos-related diseases and at the same time contributing to more effective measures to prevent exposure to asbestos."

Shamrock believes that the best way it can serve the community is to support this organisation which is at the forefront of research, healthcare delivery and preventative strategies associated with dust diseases.

Beneficiaries: All those who have been or likely to be impacted by asbestos exposure.

Delivery method: Monetary donation.

Timeframes: Within six months of the acceptance of the Enforceable Undertaking.

Safety Outcome: Shamrock believes that financially supporting the ADRI is of benefit to the wider population through the focus provided by this organisation on both research into asbestos-related diseases and the associated healthcare, as well as a greater understanding of preventative measures to be implemented across the broader community.

Total estimated cost: \$2,500

7. Outcomes of 'rethinking safety' Forum (as per point f above) to published in NECA News

Scope: To extend the reach of our "Rethinking Safety" Forum an article will be prepared and published in the bi-monthly NECA News outlining the content and success of the forum.

Tangible Outputs: Education of a broad number of contractors across NSW, QLD and TAS.

Beneficiaries: NECA members in NSW, QLD and TAS – NECA News has a readership of approximately 30,000.

Delivery method: Publication of article in NECA News.

Timeframes: Article to be submitted to NECA for publication within 16 months of acceptance of the Enforceable Undertaking.

Safety Outcome: Increased asbestos awareness amongst electrical contractors.

Total estimated cost: \$300

Total estimated cost of benefits to the community \$2,800

TOTAL ESTIMATED VALUE OF THE UNDERTAKING \$51,050

h. **A commitment regarding linking the promotion of benefits to the enforceable undertaking**

Shamrock Electrical Pty Ltd is committed to ensuring that any promotion of a benefit arising from this undertaking will clearly link the benefit to the undertaking and that the undertaking was entered into as a result of the alleged contravention.

i. A commitment to establish and maintain (or maintain if a system already exists) a WHSMS

Shamrock Electrical Pty Ltd is committed to establishing an OHSMS system acceptable to SafeWork NSW, that satisfies the principles of AS/NZS 4804:2001 Occupational health and safety management systems – General guidelines on principles, systems and supporting techniques will be implemented within 24 months from the date of the signing of the enforceable undertaking.

Shamrock Electrical Pty Ltd acknowledges that the OHSMS will be maintained in accordance with the standard.

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

Shamrock Electrical Pty Ltd commits to ensuring the OHSMS will be audited by accredited third party auditors to meet the requirements of AS/NZS 4801:2001 Occupational Health and Safety Management Systems – Specification with guidance for use, in accordance with established timeframes as set by SafeWork NSW.

Shamrock Electrical Pty Ltd acknowledges that the third party auditors selected to perform OHSMS audits must be certified by a certification body accredited by JAS-ANZ to ISO/IEC 17024:2004 General requirements for bodies operating certification of persons.

Shamrock Electrical Pty Ltd acknowledges that details of the auditors' qualifications against the stated requirements will be provided with audit reports submitted to SafeWork NSW.

Shamrock Electrical Pty Ltd acknowledges that an initial third party audit will be undertaken within 12 months and two further third party audits will be undertaken during the course of the undertaking, two years and three years following the date of acceptance of the enforceable undertaking.

k. A commitment to provide a copy of each finalised WHSMS audit report to SafeWork

Shamrock Electrical Pty Ltd acknowledges that audit reports received from the auditor will be sent to SafeWork NSW within 30 days 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.

Shamrock Electrical Pty Ltd acknowledges that within 30 days of receipt of the auditor's written report, SafeWork NSW 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 SafeWork)

Shamrock Electrical Pty Ltd commits to fully implementing the intended actions arising from the audit within 6 months from receiving the audit report from the OHSMS auditor unless otherwise agreed by SafeWork NSW.

Section 3 – Offer of undertaking

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

Signed:
[Duly authorised person]

Name:

Position: Business Manager

Dated at Banksmeadow this 20th day
[suburb]
of January 2016
[month] [year]

Section 4 – SafeWork's acceptance of undertaking

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

Signed:

Name: Peter Dunphy

Position: Executive Director SafeWork NSW

Dated at Gosford this 28th day of January 2016
[suburb] [month] [year]