

16 February 2022

## ENFORCEABLE UNDERTAKING

Part 11

*Work Health and Safety Act 2011*

The commitments in this enforceable undertaking  
are offered to SafeWork NSW

by

**H.B. Fuller Company Australia Pty Limited**

ACN 003 638 435

### **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](http://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

<b>Registered Address:</b>	16 - 30 Redgum Drive Dandenong South Victoria 3175
<b>Postal address:</b>	As above
<b>Telephone contact:</b>	██████████
<b>Email address:</b>	██████████@hbfuller.com
<b>Legal structure:</b>	Proprietary company limited by shares (unlisted)
<b>Type of business:</b>	H.B. Fuller Company Australia Pty Limited ( <b>HBF Australia</b> ) is a member of an international group of companies with a parent company based in the United States. HBF Australia operates adhesive manufacturing sites in Dandenong, Victoria, Windsor, New South Wales and Auckland, New Zealand. These sites manufacture adhesives which are distributed throughout 3 market areas: Hygiene Health & Consumable Adhesives, Engineering Adhesives and Construction Adhesives.
<b>Commencement date of the entity:</b>	28 October 1988
<b>Number of workers:</b>	Full-time ANZ: 70 Full-time NSW: 11
<b>Products and/or services:</b>	Manufacture and distribution of adhesives, sealants and other specialty chemicals.
<b>Comments:</b>	

**b. Details of the alleged contravention**

It is alleged by SafeWork NSW that on 18 September 2018, HBF Australia 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**

HBF Australia engaged a subcontractor company to perform modifications to a tank used at the company's Windsor site. The tank in question contained, from time to time, highly flammable hazardous chemicals.

The work in question was to modify the hatch opening located on top of the tank by adding a winch system, the intended purpose being to replace the need to manually handle the heavy hatch lid. The addition of the winch involved the performance of hot work, namely welding and grinding, none of which was to occur whilst the hatch lid was open. The tank was emptied and ventilated by HBF Australia personnel prior to the commencement of the hot work.

On 18 September 2018, at the completion of the work being undertaken by the subcontractor's nominated worker, an explosion emanated from within the tank, injuring both the subcontractor's nominated worker and a nearby employee of HBF Australia.

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

It is acknowledged that SafeWork NSW has alleged that HBF Australia has contravened section 19(1) of the WHS Act.

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

One worker suffered burns to approximately [REDACTED] of his total body surface area.

Another worker suffered a [REDACTED].

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

Were enforcement notices received? Yes

Date issued	Notice type	Notice number	Contravention	Action taken in response to notice
21/09/2018	Improvement	#7-339224	Alleged contravention of section 19 of the WHS Act and clause 51 of the WHS Regulation	Hot work permit template provided.
21/09/2018	Non-Disturbance	#DP180921-01 / 7-339282	Prevent disturbance of plant involved in incident	Plant locked out from power supply to prevent use in accordance with Notice.
19/10/2018	Improvement	#7-341067 / #7-341067-1	Alleged contravention of section 19 of the WHS Act and	Hazardous Area Classification Report prepared for site pursuant to AS/NZS 60079 and

			clause 351 of the WHS Regulation	control measures for potential ignition sources implemented.
19/10/2018	Improvement	#7-341070	Alleged contravention of section 19 of the WHS Act and clause 52 of the WHS Regulation	Hot work permit template provided, and workers provided with information training and instruction on the updated permit.
10/12/2018	Improvement	#7-344415	Alleged contravention of section 19 of the WHS Act and clause 52 of the WHS Regulation	Hot work permit template finalised and workers provided with information training and instruction on the updated permit.

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

HBF Australia 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 that was an employee of HBF Australia was covered by HBF Australia's workers compensation insurance. This included a graduated return to work on suitable duties.

The injured worker employed by the subcontractor was not a worker for the purposes of HBF Australia's workers compensation plan.

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

One injured worker was employed by HBF Australia at the time of the incident. The other was engaged via an independent contractor company.

The following support has been provided to the workers and/or their family:

Date	Description of support	Comments
18/09/2018	First aid	Another operator helped the subcontractor's employee to [REDACTED].  The HBF Australia employee who was working in the vicinity was knocked over and developed soreness in the right hip later in the evening. The team followed up and provided medical support.

18/09/2018	Ambulance	The receptionist in charge at the site contacted NSW Ambulance and assisted the sub-contractor's employee to the ambulance.
Various and ongoing	Welfare checks	HBF Australia maintained regular contact to follow-up with both workers regarding their condition and improvement.
Various and ongoing	Continued engagement with the employee and worker provided by independent contractor	Support was provided to the sub-contractor's employee with some light-duties that were suitable for his physical condition on recovery. HBF Australia has continued to engage with the sub-contractor (and its employee) to perform regular work after full recovery. Continued engagement with the HBF Australia employee to carry out duties within medical restrictions under his rehabilitation plan.

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

HBF Australia does not have an accredited WHSMS. However, HBF Australia has an Injury & Illness Prevention Program that was developed in US and has been used as a global reference. HBF Australia utilises and applies the policies where applicable at its sites, subject to compliance with applicable laws and standards in each jurisdiction.

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

HBF Australia reviewed the incident and engaged with the local employees and contractors working at the South Windsor site for their feedback. Feedback received and summary of findings from incident report were consolidated into strategies by the operations team and a proposal is being reviewed by the Director, Global Process Safety and EHS Audits in HBF Australia prior to submission. SafeWork NSW and selected organisations were engaged throughout to expedite the process.

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

HBF Australia regrets that the incident on 18 September 2018 occurred and that workers sustained injuries as a result of the incident.

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

Description	\$ Amount
Improvement Notice: 7-339220 Obtain SDS for hazardous chemicals used/stored on site	\$179,845
7-339601 Procurement of new racking with load ratings	
7-339603 Installation of impact protection on racking uprights	

<p>7-339605 Replace damaged racking components</p> <p>7-339613, 7-339616 Procure of rated forklift attachment</p> <p>7-342232 Develop safe operating procedure for inspecting tanks and ensure lids are kept close during reaction</p> <p>7-339611 Forklift maintenance and replacement of torn/worn component</p> <p>7-339620 Update and inspect the electrical sockets on site</p> <p>7-339621 Installation of "no access" signage</p> <p>7-340345 Register air receiver with SafeWork NSW</p> <p>7-339633 Update the hazardous good notification with SafeWork NSW</p> <p>7-339668 Inspection and update the DG bulk transfer hoses</p> <p>7-339769 Develop DG tanker checklist</p> <p>7-339664 Implementation of new dosing system to minimise exposure to hazardous chemical</p> <p>7-339625 Installation of DGF placarding across the site</p> <p>7-339662,7-344418 Installation of bunding to separate different classes of chemicals</p> <p>7-341067 Engagement with consultant firm to restructure hazardous areas, compiling dossier and rectify non-conforming equipment</p> <p>7-342379 Provide respirators to workers, including fit testing</p> <p>7-342376 Installation of fixed guarding to the Mixing Tank SC3</p> <p>7-344541 Installation of Emergency Information Panels at factory entrance for VAM 1 and VAM 2 charging tanks</p>	
---	--

7-348512

Implementation of new system to prevent mixing of incompatible hazardous chemicals

**TOTAL AMOUNT SPENT ON RECTIFICATIONS**

**\$179,845**

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

HBF Australia commits that the behaviour that led 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**

HBF Australia commits that it will exercise its best endeavours to the ongoing effective management of work health and safety risks.

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

HBF Australia 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 legislation<sup>2</sup> or work health and safety related legislation.

HBF Australia has had no prior work health and safety convictions.

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

**r. Statement regarding relationships with beneficiaries**

HBF Australia acknowledges there are no known current relationships with any of the beneficiaries outlined in the enforceable undertaking, other than the current employees of HBF Australia and the injured workers.

**s. Intellectual property licence**

HBF Australia 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**

HBF Australia 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.

HBF Australia 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.

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

HBF Australia acknowledges that should there be any delay in the commencement/delivery of the Enforceable Undertaking based on current community and workplace health and safety concerns and related business continuity disruption caused by COVID-19, this will be subject to mutual agreement (confirmed in writing) between HBF Australia and SafeWork NSW.

**u. Acknowledgement of enforceable undertakings guidelines**

HBF Australia 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**

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

HBF Australia will, within thirty (30) days of the date of acceptance of this enforceable undertaking, cause a public notice to be published in the Sydney Morning Herald, which will be drafted using the script provided in Annexure 1. The public notice will be 1/8 of a page in size and the script will be approved by SafeWork NSW prior to the public notice being published. Failure to adhere to these conditions may result in SafeWork NSW requesting another public notice be published.

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

HBF Australia 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)**

HBF Australia 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 HBF Australia. This information will be disseminated through email and memo on site and will be completed within 30 days from the date of acceptance of the enforceable undertaking.

HBF Australia is not required to publish an annual report.

HBF Australia commits that any strategies that involve safety information being provided to the industry and/or community will be subject to SafeWork NSW's review and approval 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. South Windsor Site Audit

**Summary:**

HBF Australia will contract with an Environmental, Health & Safety consultant to conduct an audit to review current practices and identify areas of improvement to reduce risk of harm to employees at the South Windsor facility.

In response to the incident that occurred, the focal areas of the audit will include:

- Review current permit to work system
- Contractor Management to ensure contractors are qualified and proficiency on safe work practices
- Process Hazard Analysis (PHA) to confirm requirements are met
- Dust hazard analysis and any associated preventive actions
- Site layout to confirm proper separation of incompatible materials
- Chemical handling
- Traffic Management

The audit will be benchmarked against the following standards:

- NSW work health and safety legislation
- NSW work health and safety Codes of Practice relating to:
  - How to manage work health and safety risks
  - Confined spaces
  - Hazardous manual tasks
  - Labelling of workplace hazardous chemicals
  - Managing hazardous chemicals in the workplace
  - Managing risks of plant in the workplace
  - Welding processes
  - Work health and safety consultation, cooperation, and coordination
  - First aid in the workplace

HBF Australia will develop a corrective action plan based on the audit findings focused on improved performance across HBF Australia operations. The ANZ Operations Manager, together with site management will be responsible for the implementation of the corrective action plan.

**WHS outcome and beneficiaries:**

Comprehensive review of the potential contributing causes and safety gaps identification will result with a prioritized list of actions and tasks that, once completed, will eliminate, isolate, and minimize the potential and severity of personnel injuries on site. This will develop a positive safety environment through risk assessment and rectification within the team. Contractors will gain assurance of safe working conditions while working at the HBF Australia South Windsor site.

As a result of this strategy WHS benefits are expected in the:

- Workplace
- Industry
- Community

**Strategy delivery and verification:**

The strategy will be delivered and verified by SafeWork NSW in accordance with the below table.

Engage Consultant to perform an Environmental, Health & Safety Audit	Multi-day, onsite visit including observation of site, job/task observations, employee interviews and existing policy and procedure reviews	Within 3 months of acceptance of the EU	H.B. Fuller ANZ Operations manager, Site Management Team and Staff	Copy of accepted contract including scope of the audit that includes the qualifications of the auditor/consultant. Copy of audit report certified by the auditor as an unaltered copy of the original.
HBF Australia commits to fully implementing the intended agreed (by SafeWork NSW) prioritised actions.	Quarterly report produced by HBF Australia outlining the progress against each action item listed in the report produced by HBF Australia outlining agreed implementation actions	Specifics based on each action item in the prioritised actions. Intentions will be to prioritise actions based on a risk rating approach to ensure that the item that poses the highest risk to workers is addressed first. An expected timeline of completion for set tasks identified will be developed by HBF Australia and will not exceed 24 months.	H.B. Fuller ANZ Operations manager	Quarterly progress updates, including evidence of the completion of each action item that occurred in the relevant quarterly reporting period.

**Cost:**

Description	\$ Amount
Cost of EHS Consultant performing audit	██████████
Addressing action items*	██████████
<b>Total estimated costs</b>	<b>\$310,000+</b>

## 2. Safety Leadership

### **Summary:**

The HBF Australia site at South Windsor was acquired as part of an acquisition in 2016. The site has remained unvaried since the acquisition. HBF Australia, as part of the response to the incident, have identified a need to improve the level of safety leadership at the site to ensure a strong safety culture exists moving forward. This strategy includes two actions that will increase the level of safety leadership at the South Windsor site:

### 1. Operation Site Leader

An operational professional will be employed in a new ongoing role as “Plant Manager”, to lead and facilitate WHS at the site. The candidate will bring WHS experience and a broad industry knowledge with the further experience in the manufacturing industry. The position will report directly to the ANZ Operations Manager and will work alongside the team, in developing and the implementing WHS related matters while monitoring the compliancy and implementation to improve safety performance.

### 2. Safety Leadership Training Program

The Operational Leader will coordinate relevant safety leadership training for all managers, and supervisors (Management Team) at South Windsor site. [REDACTED]

[REDACTED] will be our training provider and the scope is as below:

- Participating in continual improvement of safety performance and behaviour in the workplace
- Managers to complete an appropriate due diligence training.
- Identify and implement the legislative functions of the HSC.
- Identifying Work Health and Safety (WHS) hazards; assessing the WHS risks; and developing, implementing, and evaluating risk controls appropriate within the job role area
- Prepare to assist with actions and activities associated with incident response
- Assist with implementing response procedures during incident

### **WHS outcome and beneficiaries:**

#### 1. Operation Site Leader

The introduction of the new Plant Manager role will increase the WHS capabilities at the South Windsor site and lead to improved WHS management practices, leadership, and execution. The position will be the first point of contact at South Windsor site for any WHS matter.

#### 2. Safety Leadership Training Program

Individuals who pass the training will receive a certificate and/or a statement of attainment (whichever is relevant based on the course content) to prove the relevant competency. The training will provide transferrable WHS skills to HBF Australia staff if they were to move within or across industries.

As a result of this strategy WHS benefits are expected in the:

- ✓ Workplace
- ✓ Industry
- Community

### **Strategy delivery and verification:**

The strategy will be delivered and verified by SafeWork NSW in accordance with the below table.

### Operation Site Leader

---

What is happening	How is it occurring	When will it happen	Who will be responsible and/or involved	Evidence available to SafeWork NSW
Commencement of "Plant Manager"	<ul style="list-style-type: none"> <li>Produce position description that includes skills, and experience required and key responsibilities.</li> <li>Advertise for the role.</li> <li>Complete recruitment activity.</li> <li>Onboard the successful applicant.</li> <li>Create 12-month work plan. With the successful applicant.</li> <li>Complete quarterly reviews of the work plan.</li> </ul>	<ul style="list-style-type: none"> <li>Within 1 month of acceptance</li> <li>6 weeks from acceptance</li> <li>3 months from acceptance</li> <li>5 months from acceptance</li> <li>6 months from acceptance</li> <li>Ongoing for first 12 months of employment</li> </ul>	H.B. Fuller ANZ Operations Manager, HR and EHS team	<ul style="list-style-type: none"> <li>Copy of Position Description</li> <li>Copy of recruitment advertisements</li> <li>Selection process (no. applicants &amp; interviews)</li> <li>Proof of acceptance of the role</li> <li>12-month work plan for the role</li> <li>Documented quarterly reviews (x 4) for the role against the 12-month work plan completed by ANZ Operations Manager.</li> </ul>

#### Safety Leadership Training Program

What is happening	How is it occurring	When will it happen	Who will be responsible and/or involved	Evidence available to SafeWork NSW
Consult/Collaborate with staff before contacting [REDACTED]	Interview and meet with team to identify potential training gaps	Within 4 months of the acceptance of EU	H.B. Fuller ANZ Operations Manager	Finding summary including evidence of consultation with staff (toolbox talks) and [REDACTED] (emails & details of meetings)
Consult [REDACTED] for customised training program	EHS team works with [REDACTED] to determine course structure.	Within 6 months of the acceptance of the EU	H.B. Fuller ANZ Operations Manager	Documented training program including, course structure/content, the number of and job titles of participants for each session, delivery method, location, duration and competencies required to successfully complete the training
Delivery of training program, including pre and post training evaluation to gauge level of knowledge increase	Delivery method and location will be determined by [REDACTED]	Within 12 months of the acceptance of the EU	H.B. Fuller ANZ Operations Manager and EHS team, Managers and Supervisors (Management Team)	Copy of attendance records, training material, and statement of attainment/certificate of completion. Survey feedback from participants.
Supplementary training to individuals who could not	The individuals will go through the supplementary	Any re-training to occur within 6 months of	H.B. Fuller ANZ Operations Manager	Copy of attendance records, training material, and statement of

Training program evaluation	Pre and post training survey developed with NSCA to gauge level of increased safety knowledge	Pre training survey – within 4 weeks of training commencement Post training surveys – 1 immediately at conclusion of training, follow up survey 2 months following training	H.B. Fuller ANZ Operations Manager	Final evaluation report on the training program

**Cost:**

Description	\$ Amount
Operation Leader	██████████
	██████████
<b>Total estimated costs</b>	<b>\$150,000-\$180,000</b>

**e. Strategies that will deliver industry benefits**

**3. Safety training for employees**

**Summary:**

HBF Australia will organise safety training for the team and contractors at the South Windsor site. This training will build the WHS capability and skills for the participants and help to minimise or eliminate WHS risks at work and at home.

WHS incidents that happened in HBF Australia plant will be thoroughly reviewed and discussed among the team during the safety day and related training to the incident will be provided as well.

Focal topics in training include but not limited to the following:

- a) Working in confined space
- b) HAZMAT training (Storage and Chemical handling)
- c) First aid training
- d) Fire safety training
- e) Hot works in hazardous areas including physical and health harms

**WHS outcome and beneficiaries:**

Reviewing WHS topics and training will build strong safety foundation to the team and contractors. This will prepare them to be agile, greatly reduce stress and dependency upon current trained individuals during emergency event. As the skillsets from some trainings are not limited to workplace, but transferable and applicable to other locations and situations, the strategy will create an impactful positive outcome to the industry and community.

As a result of this strategy WHS benefits are expected in the:

- ✓ Workplace
- ✓ Industry
- ✓ Community

**Strategy delivery and verification:**

The strategy will be delivered and verified by SafeWork NSW in accordance with the below table.

Consult and collaborate with staff and contractors	Meet with staff and contractors to analyse and identify training needs	Within 5 months after EU acceptance	H.B. Fuller ANZ Operations Manager and Production Manager	Finding Summary including evidence of consultation with staff (toolbox talks) and contractors (emails & details of meetings)
Approval of training topics	To provide transparency of the training topics delivered in the schedule a final list of topics will be provided to SafeWork NSW for endorsement	Within 6 months after EU acceptance	H.B. Fuller ANZ Operations Manager	List of final agreed topics for delivery to be provided to SafeWork NSW for endorsement prior to delivery
Safety Training, including pre and post training evaluation to gauge level of knowledge increase	Delivered in line with training schedule developed	Within 7 – 24 months after EU acceptance	Staff and contractors at South Windsor site	Copy of attendance records, training material, and any statement of attainment/certificate of completion for each training session provided to staff. Survey feedback from participants.

**Cost:**

Description	\$ Amount
Training cost	██████████

Total estimated costs	\$40,000
-----------------------	----------

f. Strategies that will deliver community benefits

4. Industry Education with NSCA Foundation Ltd

**Summary:**

HBF Australia will join a corporate membership at NSCA Foundation to support the not-for-profit association and gain access to relevant WHS resources and tools. The HB ANZ Operations team will also be presenting at a NSCA Foundation event and make submission to their National Safety Magazine regarding the incident that happened at South Windsor.

**WHS outcome and beneficiaries:**

Audiences will learn about the safety gaps of the prior safety practices and the effects of the event. They will gain exposure to how industrial professionals are responding, managing, and contributing to WHS issue and avoid repeating the same mistake. The presentation will focus on not only the potential harms that occurred in the incident (i.e. fire / explosion) both also the potential health harms relating to welding (e.g. welding fumes and UV radiation exposure). The impact of the presentation will be permanent as it will be recorded and make access to all their member across the country.

As a result of this strategy WHS benefits are expected in the:

- ✓ Workplace
- ✓ Industry
- ✓ Community

**Strategy delivery and verification:**

The strategy will be delivered and verified by SafeWork NSW in accordance with the below table.

What is happening	How is it occurring	When will it happen	Who will be responsible and/or involved	Evidence will be available to SafeWork NSW
Reach out to NSCA Foundation	Operation manager will contact the representative of the opportunity	Before the acceptance of EU	H.B. Fuller ANZ Operations Manager	Written confirmation from NSCA agreeing to H.B. Fuller presenting at an NSCA event and publishing an article that will be available to NSCA members
Content Preparation – Presentation and Materials for National Safety Magazine	Review all recordable and reports	Within 12 months after EU acceptance	H.B. Fuller ANZ Operations Manager and NSCA Foundation Representative	Presentation content
NSCA Foundation Event	The representative from HBF Australia will deliver the content during NSCA event. Delivery mode could be done in person or remotely, subject to the public health order and organiser.	Within 16 months after EU acceptance	HBF Australia Representative	<ul style="list-style-type: none"> <li>• Recorded content</li> <li>• SafeWork NSW attendance (if requested by SafeWork NSW)</li> </ul>

--	--	--	--	--

**Cost:**

Membership (Platinum)	████████
	████████
<b>Total estimated costs</b>	<b>\$19,400</b>

**5. Safety Intern**

**Summary:**

HBF Australia will hire a student or graduate safety intern, from a disadvantaged demographic (meaning someone who might not otherwise have the opportunity to work in a large business due to social or economic disadvantage), to work with HBF Australia predominantly at our South Windsor site for an academic calendar year. At this stage it is planned the intern placement would occur in 2023.

HBF Australia will partner with a local TAFE or university to identify and select a suitable candidate from their student intake. Once selected a timetabled program will be developed with the intern that caters for their scheduled learning through TAFE or university, and a development plan while placed at HBF Australia. The plan will outline the responsibilities and support and coaching for the intern.

The placement will be evaluated by HBF Australia to measure its success for both the intern and the business. There may be an opportunity of converting into full-time employment for the candidate at the completion of internship program.

**WHS outcome and beneficiaries:**

By engaging an intern in meaningful work it will help equip, enthuse and boost the career of a young aspiring safety professional in NSW. The placement of an intern will provide HBF Australia with 'fresh eyes' or safety perspective that incorporates the most recent level of professional safety education.

As a result of this strategy WHS benefits are expected in the:

- ✓ Workplace
- ✓ Industry
- ✓ Community

**Strategy delivery and verification:**

The strategy will be delivered and verified by SafeWork NSW in accordance with the below table.



Engage with a local TAFE or university to discuss and develop intern placement program	Contact made with local educational institutes	During 2022	H.B. Fuller ANZ Operations Manager	Evidence of engagement with educational institutes (e.g emails)
Recruit intern	Selection process developed with educational institute to select intern and offer placement	Late 2022 or early 2023 (depending on applicant and educational institute selected)	H.B. Fuller ANZ Operations Manager	Evidence of accepted offer of internship outlining period of placement, remuneration and reporting arrangements
	<ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul>		
Evaluation of intern placement	<ul style="list-style-type: none"> <li>• Exit interview (if appropriate) with intern</li> <li>• Interviews with supervisor</li> <li>• Interviews with other relevant H.B. Fuller staff</li> </ul>	Within 3 months of completion of intern placement	H.B Fuller ANZ Operations Manager	Copy of evaluation report on intern placement

**Cost:**

Description	\$ Amount
Remuneration Package based on 1 year placement	██████████
Time and internal resources to develop intern	██████████
<b>Total estimated costs</b>	\$65,000 - \$75,000

**TOTAL ESTIMATED VALUE OF THE UNDERTAKING**

**\$584,400 - \$624,400**

### Section 3 – Offer of undertaking

As a duly authorised person of H.B. Fuller Company Australia Pty Limited, I offer this undertaking and commit to the terms herein.

Signed:   
.....  
[Dominic Lewis]

Name: Dominic Lewis

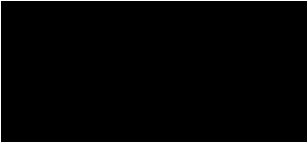
Position: ANZ Operations Manager

Dated at Dandenong South this 16<sup>th</sup> day  
of February, 2022

### 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: Rick Bultitude

Position: A/Executive Director, Investigations and Enforcement.

Authorised delegate for SafeWork NSW, an agency within the Department of Customer Service.

Dated at ..... Gosford ..... this 25 ..... day of ..... February 2022  
[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 18 September 2018, two workers engaged by H.B. Fuller Company Australia Pty Limited at its South Windsor site suffered injuries, when an explosion emanated from a tank which from time to time contained highly flammable hazardous materials, as a result of hot work being undertaken on the tank.

SafeWork NSW investigated the incident and subsequently alleged that H.B. Fuller Company Australia Pty Limited contravened section 19(1) 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 H.B. Fuller Company Australia Pty Limited, ACN 003 638 435 as finalisation of the abovementioned alleged contravention.

The undertaking requires the following actions:

- Implementation of a Safety Leadership Training Program for managerial/supervisory staff.
- Employment of a safety Plant Manager to specifically address WHS-related matters
- Targeted audit of the incident site and implementation of post-audit action items
- Safety Training for employees and contractors
- Industry Education - Partnership with NSCA Foundation Ltd
- Employment of a Safety/Engineering Intern

The full undertaking and general information about enforceable undertakings is available at [www.safework.nsw.gov.au](http://www.safework.nsw.gov.au).