



Compliance Essentials e-bulletin April 2011

Workplace Bullying

Workplace bullying is being more frequently identified and the Victorian government are leading the way in criminalising bullying with proposed legislation that could impose a maximum sentence of 10 years in prison. The proposed changes will expand the provisions in relation to stalking offences in the *Crimes Act* to include reference to offensive acts or words.

The Victorian government has acted as a consequence of the tragic death of Brodie Panlock, a cafe waitress who committed suicide after suffering bullying by colleagues at her workplace over a period of many months.

We wait to see if other States will follow Victoria's example.

Employers are reminded that this proposed legislative change will not set aside obligations under the *Occupational Health & Safety Act*, and that robust policies and procedures are groundwork for a healthy work environment.

Some tips for a healthy workplace:

- Have in place a full set of policies and procedures regarding workplace ethics and expectations of employee behaviours, including a workable grievance procedure
- Keep policies and procedures up to date
- Implement regular staff training across the organisation and ensure staff fully understand - and implement - their obligations
- Apply thorough reference checks as regards all new employees, irrespective of status
- Encourage staff to report any matter of concern, however minor, and without punitive repercussion
- Treat all complaints seriously and deal with them as a priority

Australian Consumer Law

The *Competition and Consumer Act 2010*, in effect from 1 January 2011, determines responsibilities and compliance obligations with regard to product safety. In addition to other compliance obligations, the Act requires mandatory reporting of serious injury or death, within 48 hours' of a supplier, or others in the supply stream, becoming aware of an incident deemed to arise as a result of product use, irrespective of whether or not the product has been misused. Failure to notify carries financial penalty. More information can be found on the product safety website at [Mandatory Reporting Guidelines](#)

Occupational Health & Safety

Getting ready for the national health and safety requirements from January 2012? Useful information is available from Safe Work Australia; follow the link [Summary of the Model Work Health and Safety Act](#)

The contents of this document are for information purposes only. It is not intended to be advice and you should not act specifically on the basis of this information alone. If expert assistance is required, professional advice should be obtained.