



February 2019

## WORKSAFE POSITION

# Work-related health

### Purpose

This position sets out our expectations of duty holders for work-related health under the:

- Health and Safety at Work Act 2015 (HSWA)
- Health and Safety at Work (General Risk and Workplace Management) Regulations 2016
- Health and Safety at Work (Hazardous Substances) Regulations 2017 (Hazardous Substances Regulations).

There are a range of risks at work that can affect a worker's health. They include: psychosocial (including bullying and harassment), biological, physical, ergonomic, and chemical risks.

Work-related health is about the impact work can have on people's health, and the impact a person's health can have on their or others' safety at work. In the past, we've called it occupational health.

### Why is the regulation of work-related health important?

Workers' health is important. A worker is more likely to die of a work-related disease than a safety incident, such as a fall. Every year around 600 to 900 people die from work-related disease in New Zealand. About 80% of these are men.

Approximately 5000 hospitalisations each year are due to work-related ill-health. There are several thousand ACC claims for gradual process injuries, such as noise-induced hearing loss. Many more cases of work-related illness are unreported or are not linked back to a person's work.

Measuring and monitoring most work-related diseases cannot be done in the same way as injuries.

The reasons for this include:

- sometimes there is a long period between exposure and symptoms (often decades)
- most diseases have multiple causes - in an individual case, it can be hard to find out whether the cause was work-related exposures or other causes because the disease and how it presents is the same.

This is why WorkSafe uses population-based studies to determine the impact of work-related exposures on disease outcomes.

### What does the law require?

HSWA requires persons conducting a business or undertaking (PCBU) to keep workers, and others who could be put at risk from the work being carried out, healthy and safe. Keeping workers healthy is as important as keeping them safe. This includes monitoring the workers' health and working conditions to prevent ill-health and injury.

### What does WorkSafe expect from a PCBU?

#### Eliminate work-related health risks

A PCBU must ask 'What could potentially harm a worker's health at work or through the work they do?' Once a PCBU identifies a work-related health risk, they must, so far as is reasonably practicable, eliminate those risks.

Changing the way a task is done may eliminate some risks. One example is using technology to automate a process that previously involved workers using vibrating tools.

#### Minimise work-related health risks

In some circumstances it is not reasonably practicable for a PCBU to eliminate a health risk. If a PCBU cannot eliminate a risk, it should focus on minimising the risk.

To do so, a PCBU must use at least one of the following actions to minimise health-related risks:

- replace the hazard with a less hazardous process or substance
- isolate the risk from workers (for example, relocate noisy machinery to a separate room or a less populated area, or install a sound enclosure around a noisy machine)
- put engineering controls in place to eliminate or minimise the risk (eg installing a ventilation system, or installing vibration dampers to reduce noise and vibration).

Where risk exists, WorkSafe expects a PCBU to meet its duty to use controls that protect workers, so far as is reasonably practicable.

## Personal protective gear not the first or only option to control risk

In most instances, using personal protective equipment should not be the first or only option to control the risk of harm to health.

## How health and exposure monitoring can help

PCBUs can use health monitoring and exposure monitoring as important tools in ensuring their health of their workers. More information is here: [worksafe.govt.nz/topic-and-industry/work-related-health/monitoring](https://worksafe.govt.nz/topic-and-industry/work-related-health/monitoring)

Health monitoring and exposure monitoring are ways to assess whether the risks are being managed effectively. Monitoring does not replace the need for a business to implement measures to manage any work-related risks to health and safety.

An exposure standard is not a safe threshold. It is a maximum above which no-one should be exposed. Individual workers may react in different ways to the same hazards. Exposure to substances may vary from day to day. PCBUs should aim to achieve a level as far below an exposure standard as is reasonably practicable.

## Hazardous substances

Hazardous substances can pose a significant risk. The Hazardous Substances Regulations provide guidance for PCBUs whose work involves exposing people to hazardous substances. WorkSafe expects PCBUs to identify and manage risks associated with substances hazardous to health<sup>1</sup>

More information on hazardous substances is available at the following websites.

- WorkSafe: [worksafe.govt.nz/topic-and-industry/hazardous-substances/managing](https://worksafe.govt.nz/topic-and-industry/hazardous-substances/managing)
- Environmental Protection Authority (exposure standards set under the Hazardous Substances and New Organisms Act 1996): [www.epa.govt.nz/database-search](https://www.epa.govt.nz/database-search)

## Further information for healthy and safe workplaces

We have a range of guidance to help PCBUs identify work-related health risks and to understand what actions will eliminate or minimise them: <https://worksafe.govt.nz/topic-and-industry/work-related-health>

## WorkSafe may consider enforcement action

WorkSafe may consider taking enforcement action against a PCBU if it has failed to:

- manage significant work-related health risks in accordance with:
  - approved codes of practice or law, or
  - what a PCBU working in a particular industry should know
- keep within required exposure standards
- monitor workers' health where the requirement to monitor health is prescribed, for example, substances hazardous to health
- take action when results from health monitoring, or worker exposure assessments, suggest that work-related health risks are not being managed effectively.

<sup>1</sup> WorkSafe uses safe work instruments to specify use of a substance hazardous to health that need to be monitored as the worker's health is at serious risk because of exposure to the substance. In these situations, PCBUs must monitor a worker's health. More information is here: [worksafe.govt.nz/topic-and-industry/work-related-health/monitoring](https://worksafe.govt.nz/topic-and-industry/work-related-health/monitoring)