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“YOU’RE STRESSING ME OUT”

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PART 1 - LEGAL REQUIREMENTS AND APPROPRIATE RISK MANAGEMENT

1. Introduction

- 1.1 In this presentation, I will examine the legal requirements for managing workplace stress including the need for early identification of workplace stressors, how these stressors should be identified and by whom.
- 1.2 Workplace stress is a generic term and can cover a broad range of issues. It can manifest itself in a myriad of ways, including through absenteeism, lapses in concentration, poor health behaviours (eg smoking, alcoholism, drug abuse), anxiety and depression.
- 1.3 Workplace stress is an issue that the mining industry must manage not only to meet legal requirements, but also because it is a commonly reported cause of workplace illness and absenteeism and, equally alarming for the industry, a contributor to staff turnover rates.
- 1.4 The direct and indirect cost of claims cannot be ignored. National Occupational Health and Safety Commission statistics reveal that 'mental stress' accounted for about 5.6% percent of all workers' compensation claims in 2002-03 (a 62% increase from 1996-97). In numerical terms, that is 7475 claims. The average claim is recorded as causing 8.2 weeks of production to be lost at a direct cost of \$10 500 - more than twice the average for all other claims combined. The cost of such claims in 2002-03 can therefore be calculated as being roughly 78.5 million dollars.
- 1.5 Tragically, mental stress was also deemed the cause of 6 fatalities, most commonly due to its effect on the circulatory system and heart.
- 1.6 These figures may well be only the tip of the iceberg given that many more instances may not have been reported due to them not being sufficiently serious or not resulting in a claim.

2. The law

- 2.1 Where stress is work-related it can result in claims for compensation or damages through workers' compensation claims or common law claims, such as negligence.
- 2.2 Further, if an employee is terminated from employment it may also result in claims for:
 - (a) unlawful termination under s.659(2)(f) of the *Workplace Relations Act 1996 (Cth)* ('**WR Act**') or termination for an 'invalid reason' under s.73(1)(b) of the *Industrial Relations Act 1996 (Qld)* ('**IR Act**') if the termination can be described as being based in whole or in part on a stress condition protected by discrimination laws;
 - (b) unfair dismissal under s.643 of the *WR Act* or s.73(1)(a) of the *IR Act* if none of the exemptions apply and the termination can be said to be 'harsh, unjust or unreasonable'; or
 - (c) discrimination under the *Anti-Discrimination Act 1991 (Qld)* or *Disability Discrimination Act 1992 (Cth)*.

- 2.3 Employees who have a stress related illness remain protected from termination of employment under the WR Act and IR Act where the illness causes a 'temporary absence' of three months or less (whether in one period or more) within a 12 month period¹.
- 2.4 When determining the three month period under the WR Act, absences on paid leave are not included². Under the WR Act, while a worker is receiving workers' compensation payments, they are not entitled to 'paid leave'³ so that the period of time a worker is receiving workers' compensation payments will count towards the period of temporary absence. This is in accordance with the generally accepted position under the IR Act.
- 2.5 Also, to be entitled to paid leave, the legislative or industrial instrument sick leave provisions must be complied with⁴. As such, where a worker claiming stress leave does not provide a medical certificate or otherwise does not comply with their award or agreement sick leave requirements, absences on such leave will count towards the period of 'temporary absence'.

3. The risk management obligations

- 3.1 Both the *Coal Mining Safety and Health Act 1999 (Qld)* ('**CMSHA**') and the *Mining and Quarrying Safety and Health Act 1999 (Qld)* ('**MQSHA**') require risks in mining operations to be at an acceptable level⁵. To achieve this, management and operating systems must include elements and practices that appropriately:⁶
- (a) identify, analyse, and assess risk;
 - (b) avoid or remove unacceptable risk;
 - (c) monitor levels of risk and the adverse consequences of retained residual risk;
 - (d) investigate and analyse the causes of serious accidents and high potential incidents with a view to preventing their recurrence;
 - (e) review the effectiveness of risk control measures, and take appropriate corrective and preventive action; and
 - (f) mitigate the potential adverse effects arising from residual risk.
- 3.2 In other words, a systems based approach to risk management is required⁷. There is no doubt that the legislative framework, like that in other States, requires management of psychological hazards as much as physical hazards⁸. The obligation is placed squarely on mining employers to undertake risk assessments of what workplace stressors exist and put in place systems to deal with them. As such, factors that need to be considered as potential agents causing workplace stress include:
- (a) how work is performed (eg is it safe? are deadlines reasonable? is rotation of work required?)

¹ Section 659 (2) *WR Act*, sections 12.8 (1) & (2) *Workplace Relations Regulations 2006 (Cth)* and s.73(1)(b) and s.73(2) of the *IR Act* and section 5 of the *Industrial Relations Regulations 2000 (Qld)* ('**IR Regulations**').

² Regulation 12.8 (2) *WR Regulations 2006*.

³ Section 248 of the *WR Act*.

⁴ Section 245 and Subdivision D of Division 5 of Part 7 of the *WR Act*; Section 5 of the *IR Regulations*.

⁵ Section 29 of the *CMSHA*; Section 26 of the *MQSHA*.

⁶ Section 30(2) of the *CMSHA*; Section 27(3) of the *MQSHA*.

⁷ Section 30(1) of the *CMSHA*; Section 27(2) of the *MQSHA*.

⁸ See for example *Simpson v S.A. Department for Correctional Services* [2002] SAWCT 122 (20 December 2002).

- (b) the work environment and culture (eg is workplace bullying prevalent?)
 - (c) individual health issues such as depression or exposure to traumatic events (eg witnessing a serious workplace accident).
- 3.3 Notwithstanding that adopting this process is a legislative requirement, mining operators can take comfort that by adopting a systems based approach to risk management of workplace stress, there are genuine benefits to be gained. In May this year, VicHealth concluded in its report '*Workplace Stress in Victoria: Developing a Systems Approach*'⁹, which examined 95 international published job stress intervention studies, that a systems based approach yielded the best results, particularly in terms of decreased absenteeism.
- 3.4 Several other notable observations were made, including that up to one-third of cardiovascular disease cases in men and one-third of depression cases in women can be linked to job stress. This suggests that combating stress with an effective system will not only improve workers' performance and reduce the costs to employers, but it should have enormous flow-on benefits to the community in general and reduce some of the social costs of high stress levels.
- 3.5 Given the legal requirements and practical benefits that flow from early identification of injuries or illness, including stress-related illnesses, it is clear that there is an obvious need for the early identification of workplace stress. The problem then arises in how this should be identified and by whom.

4. Difficulties with identifying stress

- 4.1 For mining employers in Queensland there is a comprehensive system set up for the monitoring of employee health. Aside from the generic risk management requirements already discussed, the mining legislation relevantly requires:¹⁰
- (a) ensuring that a health assessment is carried out for each person employed as a mine worker;¹¹
 - (b) for coal mines, the appointment of a doctor as the nominated medical adviser to carry out, supervise, and report on, health assessments for mine workers.¹² For other mines, the legislation requires the site senior executive ('SSE') to have medical examinations carried out by an 'appropriate doctor' where the SSE considers that such an examination is required as part of any pre-work, change of duty or periodic fitness assessments;¹³
 - (c) that a SSE must:
 - ensure the risk to persons from mining operations, machinery or other substances is at an acceptable level;¹⁴ and
 - develop and implement a safety and health management system for the mine¹⁵. For coal mines the safety and health management system must provide for controlling risks at the mine associated with personal fatigue, other physical or psychological impairment (an example of which in the

⁹ Victorian Health Promotion Foundation, May 2006: www.vichealth.vic.gov.au/workplacestress

¹⁰ Division 2 of Part 6 of Chapter 2 of the *Coal Mining Safety and Health Regulation 2001* ('CMSHR'); Division 1 of Part 9 of Chapter 2 of the *Mining and Quarrying Safety and Health Regulation 2001* ('MQSHR').

¹¹ Section 46(1) of the CMSHR; Section 87(1) of the MQSHR.

¹² Section 45 of the CMSHR.

¹³ Section 87(4) of the MQSHR.

¹⁴ Section 42(a) of the CMSHA; Section 39(1) of the MQSHA.

¹⁵ Section 42(c) of the CMSHA; Section 39(1)(c) of the MQSHA.

CMSHR is 'an impairment caused by stress or illness'¹⁶) and the improper use of drugs. With regard to 'other physical or psychological impairment', the safety and health management system must provide for protocols for persons at the mine. For other mines, there is a requirement that workers conduct periodic self-assessment, including in relation to heat, stress and fatigue¹⁷ and a duty is placed on the SSE to ensure that workers do not carry out work unless their fitness level has been decided as being adequate for the work.¹⁸ There is a further requirement for other mines that the safety and health management system must provide for controlling risks arising out of personal fatigue caused by excessive work hours or insufficient rest periods.¹⁹ For all mines there must be consultation with mine workers in relation to the fitness provisions in protocols and risk management systems developed;²⁰

(d) that mine operators must:

- appoint an SSE, ensure the SSE develops and implements a safety and health management system for the mine; and
- audit and review the effectiveness and implementation of the system to ensure that the risk to persons from mining operations is at an acceptable level.²¹

4.2 Because of the broad range of factors that can indicate a workplace stress issue, there may be little prospect of determining that an employee is feeling the effects of workplace stress other than by a formal medical assessment.

4.3 Until recently, it has been generally assumed that a common law right exists whereby mining and other employers could require workers to undergo medical assessment beyond that required by statute.

4.4 In *Blackadder v Ramsey Butchering Services Pty Ltd*,²² Madgwick J of the Federal Court assumed that there should be implied into contracts of employment a term that an employer could require an employee to attend a medical examination to confirm their fitness where there was a genuine indication of the need for such an assessment. However, whether it was reasonable for an employer to request an employee to attend a medical examination was held to always be a question of fact in each instance. Appeals of the original decision to the Full Court of the Federal Court and then to the High Court did not expressly confirm that such an implied term existed in a contract of employment.

4.5 However, in the case of *Edwards v North Goonyella Coal Mines Pty Ltd*,²³ Atkinson J of the Supreme Court of Queensland was asked to consider whether such a direction could be given to an employee in the coal mining industry in Queensland.

4.6 After reviewing the statutory scheme, Her Honour preferred the view that where a comprehensive statutory regime (such as the fitness for work regime as contained within the CMSHR) provided sufficient mechanisms for the parties to meet their obligations under the CMHSA, no implied term existed at common law in these circumstances that would allow the employer to direct medical testing be undertaken.

¹⁶ Section 42(1)(b) of the CMSHR.

¹⁷ Section 86 of the MQSHR.

¹⁸ Section 85 of the MQSHR.

¹⁹ Section 89 of the MQSHR.

²⁰ Section 42(5) of the CMSHR; Section 5(a) of the MQSHR.

²¹ Section 41(1) of the CMSHA; Section 38(1) of the MQSHA.

²² (2002) 118 FCR 395.

²³ [2005] QSC 242 (05/4621); BC200506422.

- 4.7 The challenge for coal mining employers is to maximize the means by which protocols are provided for within the CMHSA and for the SSE to exercise their powers under section 10(1)(d) of the CMHSR when developing fitness for work protocols, that may include the requirement to submit to additional forms of testing. Because of the similarities between the coal mining and other mining safety and health legislative schemes, there is a real prospect that a similar challenge will be faced in other mining operations in Queensland.
- 4.8 It is important to note that under section 10(1)(d), where there exists disagreement in the development of these protocols, in the case of matters that are not either legal or technical in nature, the right of the SSE to determine the final protocol is clear. What remains unclear is what constitutes "technical and legal" for the purposes of this provision and it is likely here, that the next battle between companies and unions will take place.
- 4.9 In the absence of a right to require assessments, it may be unlikely that employees can be relied upon to voluntarily undergo assessment. When dealing with stress issues, an employee may not recognise or admit that they have a problem because of a culture in the mining industry that glorifies both mental and physical toughness or otherwise where, the employee may have a fear of being demoted or losing their job altogether if it is perceived that they "can't handle it".

5. Steps to be taken to manage the risk

- 5.1 So far as the management of risks associated with workplace stress is concerned, it is imperative that mining employers, mine operators and SSEs who operate in a high-performance, high-stress industry develop procedures as part of their risk management systems to deal with stress and its effects in an appropriate manner. This may require more testing than is currently allowed under the statutory schemes. Unless there is a binding agreement outside of the statutory regime allowing medical tests as required by the employer, there is no guarantee that an employee can be compelled to be evaluated and therefore no guarantee that the statutory duties to manage risk can be fulfilled.
- 5.2 If protocols cannot be changed, one possible method for overcoming the gap between the statutes and the common law without having to renegotiate every employee's contract or seeking to amend industrial instruments is to rely upon organisational policies regarding medical examinations in relation to workplace stress, provided that any such policies are disseminated widely and, preferably, acknowledged as being read and understood by employees.
- 5.3 In the recent case of *Nikolich v Goldman Sachs J B Were Services Pty Ltd*²⁴, which confirmed the approach of the Full Court of the Federal Court in *Riverwood International Australia Pty Ltd v McCormick*²⁵, Wilcox J of the Federal Court held that the employer's employment policy documents formed part of the employment contract, even though this was not specifically intended. As a result, detailed statements about health and safety, dispute resolution, working environment, harassment and integrity were held to be included in the employment contract.
- 5.4 However, the *Nikolich* decision also poses a danger to those who adopt broad 'motherhood' statements regarding health and safety obligations as, by making such statements, employers could be imposing extremely high duties on themselves when dealing with workplace health and safety issues. Accordingly, any policies requiring medical testing need to be carefully drafted to avoid imposing unintended obligations.

²⁴ [2006] FCA 784.

²⁵ [2000] FCA 889.

- 5.5 There are also issues of 'reality testing' the ability to enforce such policies if they do not have the support of employees and unions on site so that, where possible, a cooperative approach is desirable.
- 5.6 While policies may go some way to overcoming the issue, it is preferable that contracts or industrial instruments be amended over time to allow medical testing to be undertaken as required in order to allow mining employers, mine operators and SSEs to fulfil their statutory duties.
- 5.7 Regardless of what method is adopted, it is clear that current risk management systems must be reviewed to ensure they enable appropriate management of workplace stress issues. As noted as part of my introduction, the benefits that flow are not only to be found in attaining legal compliance, but in lowering claims, absenteeism and turnover.

6. Other issues

- 6.1 There are rumours of a further wave of federal workplace reform aimed at standardising workplace health and safety laws Australia-wide. Should this occur, it could be expected to change the existing legislative requirements, although the degree of change can only be speculated at this time. However, even without the challenge of meeting any new federal legislative requirements, there are concerns already being voiced that the high take-up of individual Australian Workplace Agreements in the mining industry creates difficulties in managing workplace health and safety issues. As one union official put it:

"How do you build a culture of understanding in a situation where it's all about individual contracts in the workplace and you separate the workers so that there's not even a collective spirit?"²⁶

- 6.2 This may be stating the case too highly as workplace health and safety remains a collective concern notwithstanding what the underlying employment conditions may be. Nevertheless, it highlights the challenge of ensuring employees understand the importance of a safety culture and embrace a systematic approach to reduce workplace health and safety risks.

²⁶ 'Workplace Stress in Victoria: Developing a Systems Approach, Report to the Victorian Health Promotion Foundation', May 2006, p.55.

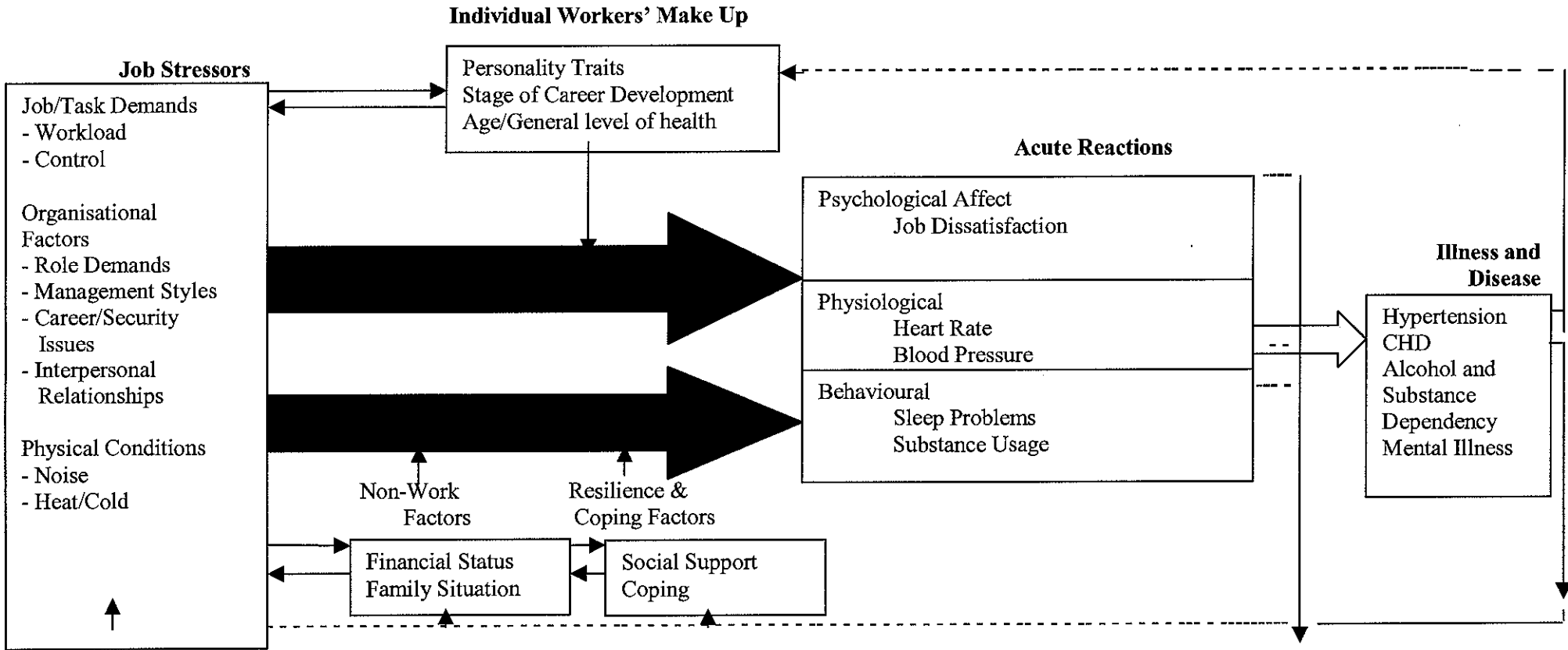
PART 2 – IMPLEMENTING INTERVENTION STRATEGIES AT WORK

1. ADOPTING A BROAD APPROACH

- 1.1 Well how do we translate our legal obligation into practice? One of the major problems with health and safety and industrial relations management generally, is the way in which practitioners often adopt a fairly narrow approach to the problem solving activities that it requires.
- 1.2 This is often the case when managers are charged with the task of reviewing the adequacy of their own health and safety systems, but is probably even more obvious in daily human resource management practice, where invariably management and those responsible for the activity, lack the time or do not have the mandate, to conduct a review of the issues from a wider perspective.
- 1.3 In a report undertaken into the burnout rates of accident investigators in the US Mining Industry²⁷, that paper identified a useful model of workplace stress and employee health, that seeks to place some context around the role of the worker, his or her own individual characteristics and the broader social and industrial context in which the work is performed.
- 1.4 An adapted representation of the model, initially developed by Hurrelland Murphy, is provided at Diagram 1.

²⁷ Kowalski, K.M. (2000) *The Effects of Disaster on Workers: A Study of Burnout in Investigators of Serious Accidents and Fatalities in the US Mining Industry* National Institute for Occupational Safety and Health, Pennsylvania.

Diagram 1 –Model of workplace stress and employee health



- 1.5 As can be seen, the model attempts to capture a framework for reviewing the totality of the impact of work on the individual, by identifying 6 discrete, yet inter-related areas of analysis.
- 1.6 These are:-
- (a) The workplace stressors;
 - (b) The individual's unique characteristics and the factors that he or she brings to the job
 - (c) Non-work factors, such as family and financial pressures
 - (d) Resilience and coping factors, such as level of social support, coping mechanisms
 - (e) The acute reactions that take place to the individual behaviourally, psychologically and physically
 - (f) Illness and disease that emerges as a result of the acute reaction.
- 1.7 Let us examine these issues in the context of developing an appropriate intervention strategy for the workplace.

2. EDUCATION AND AWARENESS

- 2.1 The starting point in any process of intervention has to be in the organisation and its employees understanding the scope of the problem.
- 2.2 An obvious starting point is in developing a common understanding as to what are the workplace stressors that give rise to workplace stress?

Understanding Job Stressors at Work

- 2.3 Insofar as an identification of job stressors is concerned, this process is clearly one that falls within the responsibility of workplace managers and those charged with the responsibility for health and safety at work.
- 2.4 Despite the various attempts that have been made to construct the physical causes of workplace stress²⁸, essentially the stressors can be classified into 3 broad groups:-
- (a) *those arising from the nature of the work and job demands* – such as work load and lack of control of volume or work; shift rosters etc
 - (b) *organisational factors* – such as lack of clarity in management, supervisor/employee conflict; employee/employee conflict; job security issues and role conflict, restructuring etc.
 - (c) *physical work environment* – such as excessive noise and heat, fear of excessive exposure to chemicals and other hazardous substances
- 2.5 As a starting point, the question must be asked, are those charged with responsibility for people management and people safety, really aware of the stressors, their impact and the consequences that these have on employees at work?
- 2.6 Do they see workplace stress as a real issue or do they regard it as just another HR beat up?
- 2.7 For example, there are many people that regard the prerogative of management as not warranting too much review, primarily on the basis that it will undermine the broader cultural and political framework at work. This is particularly the case where workforces are heavily unionised and where an overly paternalistic approach to these matters may be seen as capable of compromising negotiations over terms and conditions of employment, or may in turn give rise to suggestions that management is becoming 'soft'.

²⁸ Laird, C-A. (1997) 'Occupational Stress – Is it Related to Industrial Mattes that Remain Unresolved?' Masters Thesis, Charles Sturt University.

- 2.8 As a starting point, any objective analysis needs to consider whether in fact, organisational behaviour does contribute to a potential stressful state of a worker.
- 2.9 Companies must have that debate as a precursor to genuinely seeking to address real workplace issues, rather than take on board a program of review in a disinterested and less than committed fashion.

Role of the Individual Worker's Makeup

- 2.10 Secondly, what needs to be considered is whether or not the individual circumstances of the employees should be taken into account in the way in which they are deployed and managed at work.
- 2.11 Too often little recognition is given to the unique life and work circumstances that bring a worker to a workplace in the first place. Does health and safety management, require a better level of understanding as to the nature and make up of the individual, and whether or not that person may be more susceptible to workplace stress in the first instance?

Non-Work Factors

- 2.12 The next set of non-work factors is no doubt going to cause some managers some degree of concern.
- 2.13 If we do accept the fact that there are a variety of forces at work that give rise to the possibility of workplace stress and the consequent effects to the individual, then how far are workplace managers to go, before workplace issues become matters of employee privacy and outside of the realm of management at work?
- 2.14 The two issues that have been raised within the context of the model presented by Hurrell and Murphy are those of the family and financial pressures that are being experienced by the worker while at work.
- 2.15 There is increasing evidence that more and more of these non-work factors impact on workers during the course of the working day.
- 2.16 Take for example, the worker who is suffering from enormous financial strain brought about by either his or her, or someone else's doing.
- 2.17 Is it pertinent to the evaluation of a workers health and safety, that a manager must be mindful or alert to the fact that there may be other distractions and stressors that may play on the mind of a worker during the course of the working day.
- 2.18 More importantly however, is how does one go about ascertaining that information at work. Again the lines between a worker's private and work life are often unclear.

The Support Factors and Level of Resilience

- 2.19 Finally what needs to be undertaken in relation to all of this is an evaluation as to how well the individual is actually coping and what are the level of support mechanisms (whether privately or corporately) that would appear available to the worker in the context of the perceived stressful work and life issues that the worker may face.
- 2.20 These 4 steps and discrete assessments are all critical to the intervention strategy required of the contemporary workplace manager.
- 2.21 But the educative and training process is pre-emptive in nature. The immediate cause for concern is the adequacy by which daily workplace practice monitors and detects the tell tale signs at work.

3. MONITORING STRESS AT WORK

3.1 Left undetected or without adequate support, stress at work can cause the following physical, psychological and behavioural effects.

Physical Effects	Psychological Effects	Behavioural Effects
<ul style="list-style-type: none"> • Increased blood pressure • Increased heart rate • Increased muscle tension • Headaches 	<ul style="list-style-type: none"> • Increased anxiety • Depression • Aggression • Confusion • Job Dissatisfaction 	<ul style="list-style-type: none"> • Increased smoking • Increased drinking • Irritability • Obsessive concern with trivial issues • Poor Work Performance

3.2 In relation to the physical effects, hopefully many of these issues will emerge through fitness for work protocols that are designed to ensure the ongoing safeguarding of a workers health beyond all else.

3.3 However some of the psychological effects may not be that easy to detect. Take job dissatisfaction for example, at what point does this become a potentially hazardous workplace issue? Is a disgruntled employee, a safe employee?

3.4 The problem with most of these issues is that left undetected and without adequate support, many of them do have the potential to cause or contribute toward broader issues that give rise to possible hazardous behaviour that may lead to injury and disease. The problem for the health and safety practitioners and those charged with the responsibility for health and safety, is striking the right balance.

4. PROBLEMS WITH FINDING A BALANCE BETWEEN THE PARTIES

4.1 In an industry where there is divided opinion in relation to the health consequences of shift work, how is that issue capable of being placed adequately on the radar of workplace managers and employees? What about personality conflict, here again is a well documented area of industrial disputation, but at what stage do companies need to take a good look at the impact of all forms of communication at work?

4.2 Like all workplace issues, those charged with the task of running the organisation must take the time out to get across the issue. To understand the nature of the impact and to consider the broader consequences both to the state of mind and physical well being of the employee and the further consequences that this may have on the general workplace safety.

4.3 There are clearly practical benefits associated with the shorter working week and obviously to the companies there are significant financial benefits in production, where span of hours are increased. That being said, as an observer, the literature and reporting of the issue, continues to raise significant concerns as to the social and medical impact of increased hours of work, shift arrangements and worker fatigue.

4.4 There are many issues that require further examination. Consider the isolation factors and the impact on family life. Do these pose extra pressures on the life of the mine worker and are they issues that are well understood by the operators?

4.5 Should companies play an even more prominent part in this side of a worker's life or at the very least should a company seek to provide a suite of services and support that may sit outside of the general requirements of the labour contract?

4.6 The working and non-working life of a mining worker needs to be re-examined in order to ascertain whether the health and well being of the worker is really being considered in all of this.

4.7 Critical to this first step will be an objectivity in the enquiry that will enable a thorough investigation of the issues. But this may also require support from external parties that may have a greater capacity to be neutral and free from the traditional biases of one group or the other at work.

5. CLARIFICATION OF THE ISSUES

- 5.1 Identification of the issues is one thing, verifying their relevance and importance to the workers and the company is quite another.
- 5.2 One of the greatest problems with HR practices is that when you attempt to revitalise or expend some time and effort into a particular aspect of organisational life, you tend to attract all of the usual cynicism and sceptical concerns from those who see the process as yet again another management fad.
- 5.3 What is required is a way of validating the workplace concerns and issues in a way that people will buy into the process. This has to happen in a 'top down' approach.
- 5.4 The company needs to encourage from within its own organisational ranks real feedback channels that will allow verification of what has been identified.
- 5.5 There is absolutely no point beating the new drum of a new management agenda, if it is so far off the mark.
- 5.6 The communication skills and capacity of the supervisors and managers to act as the conduit between management and the worker, are therefore critical. This is critical to people management and it is also critical to the process of people safety.
- 5.7 Yet all of this must be tempered with a degree of realism. Many of the strategies that may be recommended, will still need to have regard to the organisational culture at work and the appropriateness of the intervention against a wide range of competing objectives at any one time.
- 5.8 By way of illustration only, it may be the case that many of the issues need to be road tested first, before intervention processes are 'rolled out' by management in this continuous attempt to achieve ongoing improvement.
- 5.9 Recommendations from the American Occupational Health Institute have included:-
 - (a) Hold discussions with employees
 - (b) Design an employee survey (to measure burnout, fatigue and stress)
 - (c) Measure employee perceptions of job conditions, stress, health and satisfaction.
 - (d) Collect objective data
 - (e) Analyse data to identify, problem locations and stressful job conditions.
- 5.10 None of these approaches are costly or difficult.

6. GENERAL CONCLUSIONS ON OPERATIONAL MANAGEMENT

- 6.1 But where does this leave the ongoing operational management of the workplace and the way in which companies and others can intervene to reduce or eliminate workplace stress.
- 6.2 Certainly in the first place, there is a new model of communication that is required.
- 6.3 It is no longer good enough to think that the communication between supervisor and worker need only take place on a strictly impersonal and work related basis.
- 6.4 Supervisors need to ask their workers "how are you" and mean it. This will require a significant cultural shift across many workplaces. It will also require a good deal of training and work role negotiation.
- 6.5 Some workers will not want to open up and that is natural enough. Some supervisors will also cringe with the thought of having to be more perceptive and attuned to the emotional state of their charges, but is that such a bad thing?
- 6.6 It is very hard to see how workplaces can successfully address personal workplace stress, other than adopting a strategy that requires a greater insight into the personal state of the individual.
- 6.7 But logically the terrain is going to be replete with landmines and steep unwelcomed and thankless paths.

- 6.8 As mentioned, there are significant skills shifts that will be required across many parts of the organisation. There will also be many occasions too, where the caring side of the company will be viewed suspiciously and often with some degree of hostility or passive resistance. These are all issues that will test the resolve of the company, but in time will give some insight as to the prospect of making some inroad into the growing problem.
- 6.9 One thing is clear, the problem will not go away and it cannot address itself.

Case Scenarios

CASE SCENARIO 1

Annual Performance Review at the Garage Workshop

John has been working at the Golden Valley open cut mine for the past 3 years. He has 10 years in the industry and has been working in the garage for the past 18 months.

John was once a member of the Lodge Safety Committee, although only attended meetings to help out the Union when they had been short of a couple of members.

John likes his job although has found his new Foreman is hard to know and not very approachable. John has had a couple of arguments with his Foreman over the past 6 months and is worried that he may be put on a performance management improvement program, for poor performance.

In addition, John's son has been getting into trouble at school and last weekend was busted for possession of a bag of marijuana.

John is very worried about the court case and the fact that he had heard from another work mate that his son also may have been involved in a fairly serious assault involving another local teenager last week.

John cannot concentrate at work and has been involved in some near miss accidents in the garage, the latest which involved the tyre of a haul truck.

John's supervisor now thinks that John is a ratbag and has been agitating for some weeks to the HR department to issue him a poor performance warning notice.

John doesn't like mixing his work and family life and has not discussed his circumstances with anyone, other than his brother-in-law who also works on site.

Consider the implications for John, his brother-in-law and his supervisor.

CASE SCENARIO TWO

Chilla

Chilla has worked in the mines for 24 years. He is 54 years of age and is wanting to find another occupation within the next couple of years as his children are keen sportspeople and want to move into a larger centre, where they can pursue their interests.

Chilla would have left the mine earlier but he has not been able to find a suitable job in a regional centre where the money is anywhere near as good.

Chilla has developed osteoarthritis in his hips and has been told that he will not be able to do the climbing necessary to perform his role as a vehicle driver if his situation deteriorates any further.

Chilla knows that the safety officer has been monitoring his progress over the past 12 months and has heard that a couple of older drivers at the Golden Valley mine down the road, had lost their job because of what the company said was the inability of the worker to perform all of the duties required of the position.

Chilla is worried about being made redundant and has started taking pain killers on a regular basis to dull the pain.

Chilla is concerned that he is going to have to tell his supervisor soon, that he is getting tired on the job because of the drugs, but he is worried about the consequences. Chilla finds that he is becoming increasingly moody and short-tempered with his colleagues and he was

involved in a clipping incident several weeks ago, where he was cautioned for careless driving.

Identify the possible issues and persons involved in the workplace who may have some capacity to influence the outcomes.

What are some intervention strategies that could be considered.

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