

Workers' Rights & Hazardous Manual Handling FAQs



Health and Safety Laws across Australia provide protections and rights for workers so as to reduce the risk of them sustaining work related musculoskeletal injuries/disorders. Work that leads to pain or discomfort is hazardous work.

The Problem

Work-related musculoskeletal disorders are the leading health & safety problem both in frequency and cost. Work-related musculoskeletal disorders may result from a single event, but more commonly arise from cumulative exposure to one or more hazards over an extended period. Systematic approaches to appropriate identification and management of all relevant hazards in the development of work-related musculoskeletal disorders are not being implemented in organisations. Approximately 60 per cent of serious workers' compensation claims are for work-related musculoskeletal disorders.¹

What the Law Says

A PCBU/Employer must eliminate risks arising from hazardous manual tasks, or if that is not reasonably practicable, minimise the risks so far as is reasonably practicable. The Health & Safety Regulations include more specific requirements for PCBUs/Employers to manage the risks of a musculoskeletal disorder associated with a hazardous manual task, including monitoring and maintaining controls implemented to reduce risks. PCBUs/Employers have a duty to consult workers and their Health and Safety Representatives (HSRs) who are (or are likely to be) directly affected by a work health and safety matter.



Workers Have The Right To

- be protected from harm arising from work or the workplace,
- be provided with all available information to enable them to make educated decisions
- be provided with safe systems of work
- be provided with adequate training
- be provided with adequate supervision
- be represented by a HSR
- be represented by their union
- not have their employment discriminated against because they exercise a right under health and safety laws
- not be coerced to exercise, or not exercise, a right they have under health and safety laws
- not be misled to do, or not do, something they have a right to under health and safety laws

¹Safe Work Australia, Work-related Musculoskeletal Disorders in Australia 2019

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Additional Resources

For more AMWU Rights and Manual Handling FAQs...

https://www.amwu.org.au/info_and_fact_sheets

Contact our Union:

 https://www.amwu.org.au/contact_us

 1300 732 698

Or speak to your organiser

Workers Can Enforce These Rights By

- ceasing work if they believe they are at risk of harm
- asking their HSR to direct a cease work if themselves and others are likely at risk of harm
- asking their HSR to investigate a health and safety complaint/concern
- asking their HSR to request a review of controls currently in place to manage hazardous manual tasks
- asking their HSR to accompany them at a meeting with the PCBU/Employer regarding health & safety
- asking the HSR to issue a provisional improvement notice (PIN) if the PCBU/Employer doesn't fix health and safety issues
- asking their HSR or union to represent them as part of the issue resolution procedure