

Psychosocial Hazards

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In recent years, there has been a growing awareness of the importance of psychosocial hazards in the workplace. Psychosocial hazards are those factors that can lead to stress, anxiety, depression, and other mental health issues for workers.

Strata managers are responsible for managing the day-to-day operations of strata schemes, including residential and commercial properties. The job can be challenging, and they may be exposed a range of psychosocial hazards that can impact mental health and wellbeing.

Employers (PCBU) have a Duty under the WHS legislation to ensure the safety and wellbeing of their employees, all 'workers', as well as 'other persons' in the workplace.

One of the challenges in this area is the fact that psychosocial hazards can be difficult to identify and measure. Unlike physical hazards, which can often be easily identified through risk assessments and other tools, psychosocial hazards are more subjective and can vary depending on the individual worker. Abusive, harassing and over-demanding clients are a psychosocial hazard, and in relation to WHS Duties, is no different to a physical hazard (slip, trip, fall, etc).

Psychosocial hazards are a significant issue in many workplaces, and they can have a range of negative impacts on workers. These hazards can lead to increased levels of stress, anxiety, and depression, and can also contribute to physical health issues such as high blood pressure and heart disease. In some cases, psychosocial hazards can even lead to suicide.

Psychosocial hazards are those aspects of work that can impact an employee's psychological wellbeing, such as stress, bullying, and harassment. These hazards can arise from a range of sources, including job demands, organisational culture, and interpersonal relationships. In the case of strata managers, some psychosocial hazards may include:

- Adverse customer service interactions
- Exposure to traumatic events
- High workloads and time pressures
- Lack of support

PCBUs must take steps to identify and manage psychosocial hazards in the workplace, and to eliminate or reduce the risk of harm. PCBUs must consult with their employees about health and safety issues and provide information and training to help understand and manage psychosocial hazards.

One of the key ways that employers can manage psychosocial hazards is by creating a positive workplace culture, implementing SCAs Respect Pledge and my Yellow and Red Card system. Employers can also implement policies and procedures to prevent bullying and harassment, and to manage excessive workloads and long working hours.

Another important aspect of managing psychosocial hazards is providing support and resources to employees who may be experiencing stress, anxiety, or other mental health issues. This can include providing access to counselling services, Employee Assistance Programs (EAPs), and other support services. Employers can also encourage employees to take breaks and to engage in activities that promote wellbeing, such as exercise and mindfulness practices.

In addition to the WHS legislation, the Fair Work Act 2009 includes provisions for workplace bullying and harassment, and the Disability Discrimination Act 1992 prohibits discrimination against people with mental health conditions.

Unfortunately, workplace accidents and fatalities do occur, and in some cases, they are the result of serious breaches of safety laws. To address this issue, a number of states in Australia have introduced workplace manslaughter laws which allow for criminal charges to be brought against the PCBU, with penalties including fines and imprisonment.

Employers can take a number of steps to reduce the risk of workplace fatalities, and to comply with their safety duties and obligations. This includes:

- Conducting regular risk assessments
- Encourage workers to report any safety concerns or incidents
- Implement policies and procedures
- Providing training and supervision
- Providing feedback on safety management systems

In summary, PCBUs have a WHS Duty to manage the risks associated with psychosocial hazards in the workplace. This includes conducting risk assessments, and implementing

control measures to manage these hazards, ie Yellow Card system, positive work culture, training and education, policies and procedures (bullying and harassment policy; mental health and wellbeing policy; processes for reporting and managing incidents).

It is important to note that managing psychosocial hazards is not just a legal obligation for employers - it is also good business practice. By promoting a positive work culture and supporting the mental health and wellbeing of strata managers, employer's can improve productivity, reduce absenteeism, and enhance the overall wellbeing of their workforce.

Maximum penalties

| STATE | LEGISLATION | SINCE | BODY CORP | INDIVIDUAL |
|-------|-------------------------|-------------|-----------|-------------------|
| NT | s34B WHS (NUL) Act 2011 | 1 Feb 2020 | \$10.2M | Life Imprisonment |
| WA | S30A WHS Act 2020 | 31 Mar 2022 | \$10M | 20 years jail |
| VIC | s39G OHS Act 2004 | 1 Jul 2020 | \$18.4M | 25 years jail |
| QLD | s34C+ D WHS Act 2011 | 23 Oct 2017 | \$10M | 20 years jail |
| ACT | s34A WHS Act 2011 | 5 Aug 2021 | \$16.5M | 20 years jail |
| NSW | Crimes Act 1900 | | | 25 years jail |
| SA | | Imminent | | |
| TAS | Nil | | | |

Part of this article was created using AI (ChatGPT), being the first known instance for Inside Strata. It was then modified and updated with the latest available information by the Author. This approach was taken simply to demonstrate the benefit of using AI, which is expected to be a significant time saving tool for Strata Managers.