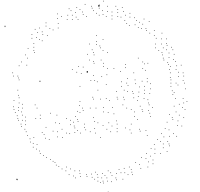




ACT
Government

Chief Minister, Treasury and
Economic Development

WORKSAFE ACT



Enforceable Undertaking

Part 11

Work Health and Safety Act 2011

The commitments in this
WHS Undertaking are offered to
WorkSafe ACT

By
Quality Bakers Australia Pty Limited

ACN 004 205 449



ACT
Government

Justice and Community Safety

*Work Health and Safety Act 2011 (WHS Act) –
Work Health and Safety Regulation 2011 (WHS Regulation)*

Enforceable undertaking proposal

Date: 9 June 2015

Enforceable undertaking

Undertaking to - WorkSafe ACT - given for the purposes of part 11 of the *Work Health and Safety Act 2011 (WHS Act)*, Section 216.

by Quality Bakers Australia Pty Limited

ACN 004 205 449

Privacy statement

WorkSafe ACT respects your privacy and is committed to protecting personal information. The information provided on this document is for the purpose of making an undertaking to the WorkSafe ACT given for the purposes of part 11 of the WHS Act. This information will be managed within the requirements of the current ACT government privacy policy.

The department may publish the undertaking and the information contained in it for purposes identified in the undertaking or for other appropriate legal purposes in various publications such as newspapers and on its website. The department may be required to disclose personal information to other regulatory agencies in accordance with other law enforcement activities which may be conducted as part of an investigation. Further information on our privacy policy is available at www.justice.act.gov.au/news/view/1602/title/jacs-privacy-policy

M. 16/6
549 16/6/15

SECTION 1 - GENERAL INFORMATION**a. Details of the person proposing the undertaking**

Residential address:	191 Gladstone Street, Fyshwick ACT
Postal address (if different from residential address):	[see above]
Telephone contact number:	[REDACTED]
Mobile contact number:	
Email address:	
Legal structure:	General Counsel and 3 Corporate Counsel
Type of business:	FMCG
Commencement date of the entity:	1 July 2000
Number of workers: (Full Time / Part Time)	52 (12 on full time salaries and 40 on wage)
Products and Services:	Quality Bakers Australia Pty Limited (Quality Bakers) produces a wide range of everyday baked goods including buns, rolls, crumpets, muffin splits, pikelets, tortillas, wraps, panini, Turkish bread, fruit bread and pita.
Comments:	<p>Quality Bakers is a wholly owned subsidiary of Goodman Fielder Limited. Its business is engaged primarily in baking bread and pastry products for distribution and supply, which it operates from its site at 191 Gladstone Street, Fyshwick ACT (Site), under the trading name Buttercup Bakery.</p> <p>In addition, Quality Bakers has a number of contracts with local farmers whereby it agrees to sell them stale bread to use as feed for livestock and animals. At the time of the incident, the arrangement with the local farmers required the farmers to attend the Site in their own vehicles to collect the stale bread and to remove it off site. <u>This process has now ceased and stale bread is no longer provided to farmers at the Site.</u></p> <p>Quality Bakers highest priority is the health and safety of its workers, contractors, customers, and visitors and is committed to ensuring it complies with its work health and safety (WHS) obligations to its workers and to other persons who may be at its workplace.</p> <p>Quality Bakers is committed to continually enhancing its safety systems to reflect changing working conditions in order to improve the working environment in relation to its business.</p>

b. Details of the alleged contravention

It is alleged by WorkSafe ACT that on 13 December 2012, Quality Bakers failed to discharge its obligations as a person conducting a business or undertaking under Sections 19(2), 19(3)(a), 19(3)(c) and 19(3)(d) of the *Work Health and Safety Act 2011 (ACT) (WHS Act)* in that it did not ensure, so far as reasonably practicable,

- The health and safety of other persons is not put at risk from work carried out as part of the conduct of the business or undertaking;
- The provision and maintenance of a work environment without risks to health and safety;
- The provision and maintenance of safe systems of work; and
- The safe use, handling, storage and transport of plant, structures and substances.

It is alleged that the failure exposed an individual to a risk of death or serious injury.

MA 16/6
 16/6/15

c. Details of the events surrounding the alleged contravention, e.g. incident details

On 13 December 2012 a stale bread customer (**Customer**) attended Quality Bakers' Site for the purposes of collecting stale bread. Quality Baker's Site has a loading dock with three parking spaces designated for customers. At the time of the alleged offence, these designated parking spaces were all occupied by other customers. On this occasion the Customer parked in an area which was not designated for parking. The Customer then got out of the car and stood beside the car.

While the Customer was standing beside the car, a semi-trailer began slowly reversing into a separate loading dock designated for semi-trailers. Although the Customer saw the truck reversing, the Customer did not move out of the way. As the semi-trailer manoeuvred into the correct position, the front of the cab connected with the Customer, momentarily pinning the Customer between the Customer's car and the cab of the semi-trailer (**Incident**).

d. An acknowledgement that WorkSafe ACT alleged a contravention has occurred

It is acknowledged that WorkSafe ACT has alleged that Quality Bakers has contravened provisions of the WHS Act.

e. The details of any injury that arose from the alleged contravention

As a result of this collision, the Customer sustained serious injuries to her knee, being a left knee dislocation and multi-ligamentous knee injury, and was taken to hospital. The injury required two corrective surgical procedures.

f. The details of any enforcement notices issued that relate to the alleged contravention:

Notices received:

<input checked="" type="checkbox"/>	Yes (provide details)	<input type="checkbox"/>	No	
Date issued	Notice type	Notice number	Contravention	Action taken in response to notice
13 December 2012	Prohibition Notice	3907	Breach of section 19(1), 19(2), (19)(3)(a) and 19(3)(c) of the WHS Act	Quality Bakers implemented a traffic management procedure to maintain safe access for trucks and other vehicles to make sure that no pedestrian is in the vicinity of reversing or moving trucks on the Site.
13 December 2012	Improvement Notice	5408	Breach of section 19(1), 19(2), (19)(3)(a) of the WHS Act	Quality Bakers removed and relocated all bins, equipment and receptacles from the forecourt area of the loading dock, including relocating a LPG storage cylinder. Quality Bakers has taken steps to maintain this area to allow clear access and egress for trucks and other vehicles. On 19 December 2012, WorkSafe ACT advised that Quality Bakers had complied with the Improvement Notice within the period specified in the Notice.

g. A statement of assurance about future work health and safety behaviour

Quality Bakers is committed to complying with its obligations under the WHS Act and ensuring, so far as reasonably practicable, the health and safety of all workers and other persons who may be affected by its business or undertakings.

When an alleged contravention is associated with an injury/illness

h. The details of the type of workers compensation provided (if the injured person(s) is a worker of the person)

The injured person was not an employee of Quality Bakers for the purposes of Workers' Compensation.

MM 16/6
5/6 16/6/15

i. The details of the support provided, and proposed to be provided, to the injured person(s) to overcome the injury/illness

Does the contravention involve injury to person?

Yes No

The injured person is not an employee of Quality Bakers. However, Quality Bakers provided the following assistance:

- Quality Bakers' workers assisted the Customer immediately after the Incident.
- Representatives of Quality Bakers telephoned the injured Customer and visited her in hospital to check on her wellbeing.
- Quality Bakers worked with the injured Customer's family to continue the supply of stale bread following the Incident.

j. If the matter involves a fatality or very serious injury¹, a claim to demonstrate that exceptional circumstances exist that the enforceable undertaking is a more appropriate response than pursuing prosecution

Does the contravention involve a fatality or very serious injury¹?

Yes No

k. The details of any existing occupational health and safety management system at the workplace including the level of auditing currently undertaken

Quality Bakers complies with the existing Goodman Fielder Group Safety Management System which is compliant with AS/NZS 4801:2001.

Quality Bakers' parent company, Goodman Fielder Australia has implemented a "making it real campaign" for the purpose of auditing the implementation of the Safety Management System. This system is made up of Bronze, Silver and Gold Pulse assessments (**Audits**).

These Audits are undertaken by local and interstate safety officers from different sites who assess the subject sites against specific criteria which are aligned with AS/NZS 4801:2001.

Gap safety audits of each site are conducted every 6 months and full assessments undertaken annually. The next scheduled assessment for the Site is in June 2015.

l. The details of any consultation undertaken within the workplace regarding the proposal of an enforceable undertaking

Quality Bakers has consulted with the workers at the Site in relation to the proposed measures to be implemented at the Site and intends to undertake further consultation with its workers and contractors in relation to additional measures proposed in this enforceable undertaking.

m. A statement of regret that the Incident occurred (i.e. not an admission of guilt)

Quality Bakers sincerely regrets the Incident that occurred on 13 December 2012 and that the Customer sustained injuries as a result of the Incident. The health and safety of all persons, including employees and customers is a core value of Quality Bakers.

The stale bread collection program is an initiative to reduce waste and to provide affordable produce to local farmers. Quality Bakers deeply regrets the fact that an incident like this occurred to one of its valued and long term customers and will endeavour to make sure that no similar incident occurs in the future.

n. Any rectifications made as a result of the contravention

Rectifications	Cost
Relocation of obstructing equipment including relocating an LPG storage cylinder, waste carts and waste bins and general improvement of housekeeping in yard area.	\$3,000.00
Installation of a "No Parking" sign in the area where the Incident occurred to reinforce the verbal direction previously given to customers.	\$300.00

¹ 1. An injury that has caused nervous system damage liable to lead to mental incapacity or permanent restriction of mobility or involves a major amputation of a limb or parts of the body, for example, amputation above the knee or elbow. This term is not defined in the WHS Act; it is used within this document to identify certain circumstances which will trigger additional steps in the enforceable undertaking process.

Handwritten signature and date: 16/6/15

Rectifications	Cost
Updated traffic management procedures to include additional controls to prevent customers accessing the Quality Bakers Site when semitrailers are in operation on Site.	\$9,360.00
Updated traffic management procedures to appoint a Site Internal Controller charged with supervision of pedestrians and general traffic movement on Site.	\$21,150.00 (including increase of salary by 10% for 2.5 years)
Developing a Stale Bread Collection Work Instruction which identifies appropriate parking areas and other requirements for customers whilst on the Site. Creating safety systems to enforce these requirements. Communicating requirements to the Customers.	(cost included above)
Extending the 'yard' at the site to allow for increased area for semi-trailers to manoeuvre on Site.	\$287,779.00
Constructing an additional car park (12 parking spaces), additional footpath, and pedestrian entrance for visitors on the Site to separate pedestrian and vehicle traffic.	\$25,000.00
Undertaking a National Safety Team Traffic Management workshop on 2 and 3 December 2014.	\$20,000.00
As part of the separation process of the semitrailers and pedestrians, customers have been advised that they no longer can access the Site. <u>Stale bread is no longer provided to farmers at the Site.</u>	-

Total amount spent on rectifications **\$366,589.00**

o. An acknowledgement that the enforceable undertaking may be published and publicised

Quality Bakers acknowledges that the undertaking may be published on WorkSafe ACT's website and may be referenced in WorkSafe ACT's publications.

Quality Bakers will, within 30 days of the date of this undertaking, cause a public notice to be published in the Canberra Times (online and in print) which will be prepared using the script noted in Annexure 1.

p. A statement of ability to comply with the terms of the enforceable undertaking

Quality Bakers acknowledges that it has the financial ability to comply with the terms of this enforceable undertaking.

q. Statement regarding relationships with beneficiaries

Quality Bakers acknowledges there are no known current relationships with any of the beneficiaries outlined in the enforceable undertaking, other than the current employees of Quality Bakers, the injured and Open Family Australia.

Quality Bakers has an existing charitable relationship with Open Family Australia and will continue to support the organisation's important charitable work.

r. Intellectual property licence

Quality Bakers grants WorkSafe ACT a permanent, irrevocable, royalty free, worldwide, non-exclusive licence to use, reproduce, distribute, electronically transmit, electronically distribute, adapt, and modify any materials developed as a result of this enforceable undertaking.

s. The person may be required to provide a statutory declaration

Quality Bakers acknowledge that it may be required to provide a statutory declaration.

t. Acknowledgement of enforceable undertakings overview and guidelines

Quality Bakers has read and understood the Enforceable Undertakings Overview (WSACT HB 0069) provided by WorkSafe ACT and accessible from its website.

SM 16/6

16/6/15

SECTION 2 – ENFORCEABLE TERMS

a. A commitment that the behaviour that led to the alleged contravention has ceased and will not reoccur

Quality Bakers commits that the behaviour that led to the contravention has ceased and that it will take all reasonably practicable steps to prevent recurrence of this type of incident, and to ensure the WHS of its workers and other persons, so far as is reasonably practicable.

b. A commitment to the ongoing effective management of work health and safety risks

Quality Bakers commits that it will take all reasonably practicable steps to ensure the ongoing effective management of WHS risks.

c. A commitment to disseminate information about the undertaking to workers, and other relevant parties (which may include work health and safety representatives), and in the annual report (if applicable)

Quality Bakers agrees to disseminate information about the undertaking within the workplace, including to the members of any WHS committee, WHS representatives, workers, contractors, and other relevant parties. This information will be disseminated through the Goodman Fielder website within 3 months of the acceptance of the enforceable undertaking.

Quality Bakers will discuss the undertaking at the Goodman Fielder Corporate Risk Committee meeting at the next meeting held after the acceptance of the undertaking.

Within 4 months of the undertaking being accepted, Quality Bakers will distribute information about the undertaking through:

- health and safety representatives;
- an internal memorandum on Goodman Fielder's intranet; and
- internal memorandum at sites where employees do not have access to the intranet.

Quality Bakers do not have any annual reporting requirements. If however, Quality Bakers does continue to print some sort of an annual review, Quality Bakers would be prepared to insert the details of the undertaking into the "safety" section.

d. A commitment to participate constructively in all compliance monitoring activities of the undertaking

Quality Bakers acknowledges that the responsibility for demonstrating compliance with this undertaking rests with Quality Bakers. Evidence to demonstrate compliance with the terms will be provided to WorkSafe ACT by the due date for the term.

Quality Bakers acknowledges that WorkSafe ACT may undertake other compliance monitoring activities to verify the evidence that is provided and compliance with the relevant term. The evidence provided to demonstrate compliance with the undertaking will be retained by the person who has given this undertaking until advised by WorkSafe ACT that the undertaking has been completely discharged.

Quality Bakers acknowledges that WorkSafe ACT may initiate additional compliance monitoring activities, such as inspections, as considered necessary at WorkSafe ACT's expense.

STRATEGIES THAT WILL DELIVER BENEFIT TO WORKERS, INDUSTRY AND THE COMMUNITY.

e. STRATEGIES THAT WILL DELIVER WORKER BENEFITS

Strategy 1 – Development of additional truck turning area and separate pedestrian access to Site

Estimated Cost - \$ 43,270.00

Scope

In order to separate traffic on Site, Quality Bakers has taken steps to develop a separate access area to the Site for pedestrians. In addition, Quality Bakers has proposed to extend the truck turning area at the Site.

Handwritten signature and dates:
16/6/15
16/6/15

Tangible Outcome

- a) Clear separation of pedestrian and semitrailer (and other vehicle) traffic;
- b) Easier manoeuvrability for trucks when on Site; and
- c) Separation of customers from semi-trailers.

Beneficiaries / audience

Quality Bakers' workers, customers and contractors operating semitrailers and other vehicles.

Delivery method

Work to be undertaken by construction contractors.

Timeframe

Completed by December 2015.

Safety Outcome

Increasing the area at the Site and creating separate pedestrian access will minimise the interaction between pedestrians and semitrailers while on Site and may reduce the risk of a similar incident.

Strategy 2 – Implementation of an assurance and compliance reporting system

Estimated Cost \$35,000.00

Scope

While Quality Bakers has made significant improvements to its Site Facilities and Traffic Management Procedures, Quality Bakers recognises that an ongoing and regular assurance process should be implemented. This assurance and compliance system will allow Quality Bakers to manage safety reporting and check that safety procedures are being followed. It will allow its workers to communicate any safety concerns as well as reinforcing safety requirements to all workers on the Quality Bakers Site.

Tangible Outcome

The compliance and assurance system will reinforce Quality Bakers' existing safety processes by making sure:

- a) Workplaces are inspected on a regular basis;
- b) Hazards identified;
- c) Risk assessments completed;
- d) Reporting of safety issues improved; and
- e) Implemented systems are complied with.

Beneficiaries / audience

All Quality Bakers workers (including contractors) as well as any other persons or visitors on the Quality Bakers Site.

Delivery method

Documented process will be established through consultation with a third party audit service provider and will be implemented by the internal SHE officer.

Timeframe

Implementation by June 2016.

MM 16/6
SA 16/6/15

Safety Outcome

The compliance and reporting system will enhance Quality Bakers' ability to manage safety reporting and compliance with safety systems.

Strategy 3 – Induction training for workers attending the Site

Estimated Cost – \$1,044.00 (based on existing employees and contractors attending the Site)

Scope

A number of persons attend the Quality Bakers Site from time to time. In order to ensure, so far as is reasonably practicable, that all persons coming onto Quality Bakers' Site are aware of and understand their WHS obligations and Site specific requirements, a Site Induction is now required to be undertaken by all persons attending the Quality Bakers Site.

Tangible Outcome

- a) To obtain clear understanding of the WHS requirements on Site for all persons attending the Site; and
- b) To enhance understanding of WHS obligations generally.

Beneficiaries / audience

All persons who attend the Site including customers, visitors, and contractors.

Delivery method

All persons required to complete the Site Induction when signing in.

Timeframe

Process currently being implemented.

Safety Outcome

Increase knowledge in relation to safety on Site and in the industry.
To ensure, so far as is reasonably practicable, that all persons who attend the Site understand the risks to safety posed by moving plant as well as general WHS risks.

Strategy 4 – Implementation of a WHS training refresher program, with a focus on traffic management for Quality Bakers workers, contractors, and the Site Internal Controller

Estimated Cost – \$4,000.00

Scope

The training program will provide general WHS training and reinforce the reviewed traffic management procedure for drivers entering the site and workers at Quality Bakers. This training will assist workers understand the dangers of moving plant on Site and the potential risks to other plant and equipment and to pedestrians. The training will also serve to reinforce workers obligations as detailed in the revised Traffic Management Plan.

Tangible Outcome

The training will consist of general WHS refresher training and traffic management with the objective that all workers and drivers entering the Site understand the Traffic Management Procedure, specifically in relation to loading, and entering and exiting the Site safely.

MJM 16/6
SM 16/6/15

Beneficiaries / audience

All Quality Bakers workers and drivers entering the Site.

Delivery method

One initial training session to be provided by the Site Internal Controller and regular toolbox training to reinforce safety messages.

Timeframe

Training to be undertaken throughout 2015 and conclude in December 2015

Safety Outcome

The traffic management and general WHS training will assist Quality Bakers to ensure, so far as is reasonably practicable, that its workers and contractors are aware of and understand the WHS systems in place at Quality Bakers.

This will assist managers and workers recognise potential risks and take appropriate steps to eliminate or minimise the risk. Quality Bakers' aim is for all workers to be actively involved in the WHS discussion at Quality Bakers and assist in the continual improvement of Quality Baker's safety systems.

Strategy 5 – Preparation of a Case Note on Incident including WHS management details to be provided to other worksites within Goodman Fielder's Australian businesses

Estimated Cost – \$1,400.00

Scope -

Quality Bakers will prepare a case note in relation to the Incident and distribute it across the wider network of Goodman Fielder's Australian businesses. The case note will highlight the importance of having and enforcing a safe system of work in relation to traffic management on Site.

Tangible Outcome

Wider awareness of traffic management issues and the importance of communication and implementing safe systems of work on worksites.

Beneficiaries / audience

All companies connected to Goodman Fielder's Australian businesses.

Delivery method

Online via Goodman Fielder's Australian businesses internal online network.

Timeframe

Completed within 3 months of acceptance of enforceable undertaking.

Safety Outcome

Detailing the Incident and corrective actions implemented by Quality Bakers will assist in creating awareness in relation to the potential risks on Site. Including the safety systems and subsequent actions taken by Quality Bakers to address the potential risks may reduce or eliminate similar incidents from occurring at other sites.

Total amount to be spent on benefits to workers

\$ 84,714.00

MW 16/6
SW 16/6/15

f. STRATEGIES THAT WILL DELIVER INDUSTRY BENEFITS

Strategy 6 – Contribute to the development of WorkSafe ACT’s Risk Management Modules

– Estimated cost \$5,000.00

Scope

Quality Bakers recognise the need for duty holders to understand their obligations under the new WHS Act and the *Work Health and Safety Regulation 2011 (ACT) (WHS Regulation)*. WorkSafe ACT, as the regulator, is the best entity to lead information, provide support to organisations, and to assist duty holders understand and exercise their obligations under the WHS Act and WHS Regulation.

Quality Bakers believes that making a contribution to WorkSafe ACT’s Risk Management Modules will ultimately benefit all workplaces, and workers, in the ACT.

Tangible Outcome

- a) By making a donation, Quality Bakers will support WorkSafe ACT to develop the Risk Management Modules.
- b) WorkSafe ACT develops the Risk Management Modules and makes them available to organisations across ACT.

Beneficiaries / audience

All organisations and workers in the ACT.

Delivery method

A one off financial contribution to WorkSafe ACT’s development program for the Risk Management Modules.

Timeframe

Within 3 months of the enforceable undertaking being accepted.

Safety Outcome

Greater understanding of the obligations placed on duty holders under the WHS Act and Regulation.

Strategy 7 – Traffic Management Competency Training Module

– Estimated cost \$5,000.00

Scope

Quality Bakers requires all employees and contractors to undertake a web based induction through Rapid Induct. Quality Bakers will incorporate a specific competency training module on traffic management for all employees and contractors.

Tangible Outcome

All contractors and employees of Quality Bakers will receive and complete a training module on traffic management prior to undertaking work for Quality Bakers. This will assist in minimising any traffic related risks to attending the Quality Bakers Site, as well as promoting safe traffic management skills across the industry.

Beneficiaries / audience

All employees and contractors of Quality Bakers who undertake the training module, the relevant organisations across the industry who also work with those employees and contractors, and the persons involved in the industry generally.

MM 16/6
SM 16/6/15

Delivery method

Online through the Rapid Induct web based induction module.

Timeframe

All existing employees and contractors will undertake the module within 12 months of the enforceable undertaking being accepted. For any new employees or contractors, the module will be completed prior to commencing work.

Safety Outcome

Increased safety awareness and skills for employees and contractors in relation to traffic management.

Strategy 8 – Family Day at Quality Bakers Site with a focus on safety awareness

– Estimated cost \$16,000.00

Scope

Quality Bakers will hold a Family Day at the Canberra Quality Bakers Site which will be open to employees, families, relatives, contractors and other industry members. The Family Day will provide an opportunity for Quality Bakers to showcase the recent changes to the Site, including the new traffic management system and new parking areas. The purpose of the day will be to reinforce safety at the Site, as well as to encourage safe behaviours in others.

Quality Bakers will provide the following:

- Kids' activities;
- Supply catered lunch and drinks for all attendees;
- Personal protective equipment stalls;
- Barricades and witches hats in production facility and yard to create safe pedestrian access areas at the Site for visitors during the Family Day;
- Development, publication, and distribution of health pamphlets at the Family Day; and
- Product give-aways.

The Family Day will allow Quality Bakers to disseminate information to the workers, industry members, and their families on safety. The Family Day will also be an opportunity to educate and raise awareness of the importance of safety at work, as well as safety generally.

Tangible Outcome

Increase awareness of the safety measures implemented at Quality Bakers, reinforce safe behaviours with employees, contractors, industry members, and their families and to promote safe working practices across the industry generally.

Beneficiaries / audience

Industry members, contractors, employees, and their families.

Delivery method

Onsite via Quality Bakers personnel. Quality Bakers will distribute information pamphlets to employees and contractors reinforcing the safety initiatives implemented at Quality Bakers, as well as providing information pamphlets to children on safety practices.

Quality Bakers will also hire event contractors to assist with the organisation and running of the Family Day to attract greater attendance.

Timeframe

Family Day to be held within 12 months of the enforceable undertaking being accepted.

Handwritten signature and date:
16/6/15

Safety Outcome

Employees and contractors will be aware of the initiatives implemented recently at the Site, safety behaviours will be reinforced and family members will be provided with an opportunity to see the safety practices adopted and implemented by Quality Bakers.

Strategy 9 – Engagement of an external safety trainer to deliver traffic management workshops at Quality Bakers' sites.

– Estimated cost \$10,000.00

Scope

Quality Bakers will engage a safety contractor to attend at least 5 of Quality Bakers' sites to conduct a seminar on traffic management and how to identify and manage traffic risks.

Tangible Outcome

Employees and contractors of Quality Bakers will receive information on identifying risks associated with traffic management and will develop skills to assist with undertaking risk assessments and establishing effective controls to manage the risks.

Beneficiaries / audience

Employees and contractors of Quality Bakers.

Delivery method

Onsite presentation by an external contractor to be delivered through a seminar and workshop at the following sites: Fyshwick (ACT), Moorebank (NSW), Clayton (Vic), Carina (QLD), and Malaga (WA).

Timeframe

Seminars to be held within 12 months of the enforceable undertaking being accepted.

Safety Outcome

Increased awareness of potential risks associated with traffic management and to enhance the skills of Quality Bakers workers and contractors.

Total amount to be spent on benefits to industry

\$36,000.00

g. STRATEGIES THAT WILL DELIVER COMMUNITY BENEFITS

Strategy 10 – A donation to Open Family Australia

Estimated Cost \$10,000.00

Scope

Goodman Fielder's Australian businesses including Quality Bakers have an existing relationship with Open Family Australia which provides nutrition, food and social health assistance to homeless and disadvantaged youth. Quality Bakers would like to further foster this relationship.

Tangible Outcome

Financial assistance to Open Family Australia will assist in increasing the food and social health of homeless and disadvantaged youth across Australia.

MA 16/6
SW 16/6/15

Enforceable undertaking proposal

Date: 9 June 2015

Beneficiaries / audience

Disadvantaged youth across Australia and the wider community.

Delivery method

Financial contribution.

Timeframe

Completed within 12 months of the enforceable undertaking being accepted.

Safety Outcome

Support of Open Family Australia and its work in the local community will increase the wellbeing of Australia's homeless and disadvantaged youth.

Strategy 11 – A donation to Soldier On Canberra to assist with WHS educational opportunities

Estimated Cost \$10,000.00

Scope

Quality Bakers will provide a financial contribution to Soldier On Canberra to assist with the implementation of a number of courses relating to WHS. Quality Bakers' donation will contribute to the cost of workbooks and materials used in a number of face to face courses (such as the Diploma of Project Management course) to further WHS skills for returned soldiers.

Tangible Outcome

Quality Bakers' donation will assist Soldier On Canberra provide WHS training to Australian service men and women to enhance their employment opportunities when entering back into the civilian workforce.

Beneficiaries / audience

Australian service men and women who have been wounded, physically or psychologically in contemporary conflicts.

Delivery method

Financial contribution specifically targeted at WHS and related courses.

Timeframe

Completed within 12 months of the enforceable undertaking being accepted.

Total amount to be spent on benefits to the community **\$20,000.00**

Total cost of the strategies proposed (e-g)

Total amount to be spent on strategies **\$140,714.00**

MM 6/6
5/6 16/6/15

h. A commitment regarding linking the promotion of benefits to the enforceable undertaking

Quality Bakers is committed to ensuring that any promotion of a benefit arising from this undertaking will clearly link the benefit to the undertaking and that the undertaking was entered into as a result of the alleged contravention.

i. A commitment to establish and maintain (or maintain if a system already exists) an occupational health and safety management system (OHSMS)

Quality Bakers is committed to ensuring that its existing OHSMS (being the existing Goodman Fielder Group Safety Management System) complies with the principles of AS/NZS 4804: 2001 Occupational Health and Safety Management Systems – General guidelines on principles, systems and supporting techniques and ensuring ongoing compliance.

Quality Bakers acknowledges that the OHSMS will be maintained in accordance with the Australian Standard.

j. A commitment to ensure the OHSMS is audited by third party auditors

Quality Bakers commits to ensuring the OHSMS will be audited by accredited third party auditors. The auditor will hold a minimum of a Certificate IV in "Lead Auditor in OHS Management Systems" or equivalent from an Australian/New Zealand Registered Training Organisation and the auditor will be certified by the Joint Accreditation System of Australiana and New Zealand as an "OHS Auditor Certification" (referencing ISO/IEC 17024:2003).

Quality Bakers acknowledges that details of the auditors' qualifications against the stated requirements will be provided with audit reports submitted to WorkSafe ACT.

Quality Bakers acknowledges that a third party audit will be undertaken within 6 months of the enforceable undertaking being accepted and subsequent audits will be undertaken if and when required, as indicated by the initial audit.

k. A commitment to provide a copy of each finalised OHSMS audit report to WorkSafe ACT

Quality Bakers acknowledges that audit reports received from the auditor will be sent to WorkSafe ACT, within 30 days of the audit being completed, along with a letter certifying that the report has not been altered from the copy provided to the person by the auditor.

Quality Bakers acknowledges that within 30 days of WorkSafe ACT's receipt of the auditor's written report, Quality Bakers will advise WorkSafe ACT of the intended action in addressing each of the report's recommendations.

l. A commitment to implement the recommendations from these audits (unless otherwise negotiated with WorkSafe ACT)

Quality Bakers commits to fully implementing the intended actions arising from the audit within 6 months from receiving the audit report from the OHSMS auditor unless otherwise agreed by WorkSafe ACT.

Quality Bakers commits to a follow up audit 6 months after the implementation of recommended changes or actions.

ML 16/6
S
16/6/15

SECTION 3 – OFFER OF UNDERTAKING

I offer this undertaking and commit to the terms herein.

Signed

[Redacted signature box]

Name

[Redacted name box]

Position

[Redacted position box]

Dated at [Redacted] this [Redacted]

(suburb)

day of [Redacted] 20 [Redacted]

OR

As a duly authorised person of

QUALITY BAKERS AUSTRALIA PTY LTD

I offer this undertaking and commit to the terms herein.



Position [Redacted]

DIRECTOR

Dated at North Ryde this 16th

(suburb)

day of JUNE 20 15

[Redacted box]

The duration of an enforceable undertaking is determined by the content of the agreed terms. An enforceable undertaking commences and is enforceable once accepted by WorkSafe ACT. The enforceable undertaking will be concluded on written advice from WorkSafe ACT when all requirements of the undertaking have been satisfactorily executed.

I accept this undertaking as an enforceable undertaking under section 216 of the WHS Act.

Signed



Name



Position

Executive Director, Construction and Workplace Protection

WorkSafe ACT

Dated at Woden this 17th

(suburb)

day of June 20 15