

# Managing health and safety: A guide for farmers

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**The purpose of these guidelines is to help reduce the risk of injuries and fatalities by providing practical guidance on farm health and safety.**

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# **MANAGING HAZARDS: KEY POINTS**

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**IDENTIFY** all significant hazards on  
your farm

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**If you can, ELIMINATE** the hazards

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**If you can't eliminate the hazards,  
ISOLATE** them

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**If you can't eliminate or isolate hazards,  
MINIMISE** them

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**MONITOR** hazards regularly

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**Record significant hazards, controls and  
monitoring in a HAZARD REGISTER**

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## INTRODUCTION

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### IN THIS SECTION:

- 1.1 Purpose
- 1.2 Scope
- 1.3 Development

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**Under the Health and Safety in Employment Act 1992 (the HSE Act), you must manage workplace health and safety effectively. We've developed this guide for farm owners and managers to help you understand your legal responsibilities and develop a farm health and safety management system.**

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### **1.1** PURPOSE

You don't have to be a workplace health and safety expert to develop a health and safety management system. You already have the expertise on your farm: you and your workers. However, you might need expert help in some cases.

Involving your farm workers in developing your health and safety management system and your good leadership will make your system a success.

This guide will help you comply with the law. It gives you a base to start from and leads you to information from other sources.

WorkSafe New Zealand accepts the guide's recommendations as current industry good practice.

### **1.2** SCOPE

This guide is for farmers, employers, employees, principals, contractors (and those who employ them – principals), health and safety advisers, health and safety representatives, consultants and designers. It encourages you to work together with your employees to solve health, safety and wellbeing issues on the farm.

### **1.3** DEVELOPMENT

Industry experts helped WorkSafe NZ develop this guide. WorkSafe NZ also conducted a thorough review of accident statistics and published academic literature and looked at how overseas health and safety regulators manage the same issues.

WorkSafe NZ has taken every effort to make sure the guide's recommended hazard controls reflect current good practice.

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## **LEGAL RESPONSIBILITIES**

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### **IN THIS SECTION:**

- 2.1 Employers' duties**
- 2.2 Duties for people in control of the workplace**
- 2.3 Principals' duties to contractors**
- 2.4 Self-employed and contractors' duties**
- 2.5 Employees' duties**
- 2.6 Refusing to work**



The Health and Safety in Employment Act 1992 aims to ‘promote the prevention of harm to all people at work, and others in, or in the vicinity of, places of work’. It applies to all workplaces in New Zealand.

### 2.1 EMPLOYERS’ DUTIES

Under the HSE Act, employers must take all practicable steps to:

- > provide and keep a safe work environment
- > include employees when developing health and safety procedures, using an agreed employee involvement process
- > identify hazards and find practical ways to control significant hazards
- > provide and keep facilities to make sure employees are healthy and safe
- > make sure machinery and systems are safe for employees to use
- > provide and ensure the use of personal protective equipment (PPE), where appropriate
- > make sure that employees don’t do anything to negatively affect their health or safety
- > give employees information about workplace hazards
- > train and supervise employees
- > record and investigate workplace accidents and illness
- > develop procedures for dealing with workplace emergencies.

Employers are required to report all cases of serious harm to WorkSafe NZ.

### 2.2 DUTIES FOR PEOPLE IN CONTROL OF THE WORKPLACE

A farmer, farm owner, farm manager or sharemilker may be a person who controls the place of work (refer to the definition in the glossary).

The person in control must take all practicable steps to make sure workplace hazards don’t harm people who are in the vicinity of the

workplace, working in the workplace, or in some cases visiting the workplace. The person in control may also have to warn people working or visiting the workplace about significant hazards.

### 2.3 PRINCIPALS’ DUTIES TO CONTRACTORS

A principal is anyone who hires a contractor (refer to the definition in the glossary).

When a principal engages a contractor or subcontractor they must take all practicable steps to keep them and their employees safe on the job.

This legal duty doesn’t apply if you’ve hired someone to work in your own home.

How you can carry out your duty:

- > Make sure you give all contractors, subcontractors and their employees advice about the known workplace hazards.
- > Where practicable, monitor (not supervise) their work and, if you believe someone’s health and safety is at risk, take action.
- > If you supply equipment, make sure it is suitable and safe to use, and the contractor knows how to use it. Contractors who are also employers have employers’ duties under the HSE Act.
- > Specify your expected health and safety standards when contractors, subcontractors or their employees carry out work. You could put these standards in a contract.
- > Only hire contractors and subcontractors with good health and safety histories.
- > Ask contractors and subcontractors to tell you how they will manage health and safety when doing work for you. If they’re going to

do major work, you should ask for a health and safety system in writing from them.

## 2.4 SELF-EMPLOYED AND CONTRACTORS' DUTIES

Self-employed people and contractors must take all practicable steps to make sure they don't harm themselves or anyone else when working.

If a farming business hires a contractor to work on private land, the business has principals' duties under the HSE Act.

## 2.5 EMPLOYEES' DUTIES

Everyone must work in a healthy and safe way. Although employers have to make sure the work environment is safe for employees, employees must keep safe when they work, and make sure they don't harm anyone around them.

Employees can do specific things to meet these responsibilities, such as:

- > using protective equipment and wearing employer-provided protective clothing. They can wear protective clothing they provide themselves as long as it is suitable
- > refusing unsafe work or refusing to use unsafe practices
- > making unsafe work safe or, if they can't, telling their supervisor or manager
- > understanding and following the farm's health and safety practices and procedures, including reporting work-related accidents, illnesses, injuries and hazards
- > obeying inspector-issued workplace improvement and prohibition notices.

### Health and Safety in Employment Act 1992

19. Duties of employees—every employee shall take all practicable steps to ensure—
- (a) The employee's safety while at work; and
  - (b) That no action or inaction of the employee while at work causes harm to any other person.

## 2.6 REFUSING TO WORK

Employees can refuse to work if they have reasonable grounds to think the work they have to do is likely to cause them serious harm (as defined in the glossary).

An example of reasonable grounds is an employee noticing that a WorkSafe NZ good practice guideline describes the work as hazardous and the appropriate hazard controls have not been put in place.

Employees can't refuse to work if the work has an essential, understood risk of serious harm, unless the risk has increased greatly.

Employees must try to sort the matter out with their employer as soon as possible. But if the employer and employee can't fix the problem, the employee can continue refusing to do that work.

A dispute about an employee's refusal to work is an 'employment relationship problem'. Mediation and dispute resolution services (available under the Employment Relations Act 2000) can help solve these problems.

Section 84 of the Employment Relations Act says employees can strike for health and safety reasons if they have reasonable grounds.

The Ministry of Business, Innovation and Employment (MBIE) offers free mediation services for employers and employees with employment relationship problems. If mediation doesn't solve the problem, you may apply to the Employment Relations Authority to investigate and decide what the best course of action is. There is a small application fee.

The Employment Relations Authority works informally. It looks at the facts and decides what to do based on the case's merits, not legal details.

# 03/

## **HEALTH AND SAFETY MANAGEMENT SYSTEMS**

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### **IN THIS SECTION:**

- 3.1 The basics**
- 3.2 Other parts of a health and safety management system**
- 3.3 Record-keeping and document management**
- 3.4 Rules and procedures for specific tasks**
- 3.5 Training and capability**
- 3.6 Assigned roles and responsibilities**
- 3.7 Employee participation**
- 3.8 Emergency plans**
- 3.9 Monitoring environmental issues that could impact employee health**
- 3.10 Monitoring employees' work fitness**
- 3.11 Accident reporting and investigation**
- 3.12 Farm safety inspections**
- 3.13 Maintenance**
- 3.14 Contractor management**

Farms are workplaces. Like all other workplaces, workplace health and safety laws apply. To meet your requirements under the HSE Act, WorkSafe NZ considers it good practice to have a health and safety management system.

### 3.1 THE BASICS

A system doesn't have to be complex. It just needs to:

1. **identify** existing and potential hazards on your farm
2. put **controls** in place to manage the hazards
  - a. if you can, **eliminate** or get rid of the hazard (such as replace a toxic chemical with a non-toxic one, or replace noisy machinery)
  - b. if you can't eliminate the hazard, **isolate** it (such as fit protective guards around dangerous machinery parts)
  - c. if you can't eliminate or isolate the hazard, **minimise** it (such as make workers wear protective helmets, earmuffs or boots when working somewhere dangerous).
3. If you can only minimise hazards, **monitor** them regularly.

Record identified hazards, control measures and any issues that you find through monitoring in a '**hazard register**'. A hazard register doesn't have to be complicated; it's just a book, spreadsheet or other document in which this information is recorded.

If you follow these steps and record the information in a **hazard register**, your farm has a basic health and safety management system in place.

### 3.2 OTHER PARTS OF A HEALTH AND SAFETY MANAGEMENT SYSTEM

A farm health and safety management system should also include:

- > record-keeping and document management
- > rules and procedures for specific tasks
- > a training and capability component
- > assigned roles and responsibilities
- > employee participation
- > emergency plans
- > systems for:
  - monitoring environmental issues (that could influence employee health)
  - monitoring employee fitness and wellbeing
- > procedures for:
  - accident reporting and investigation
  - farm safety inspections
  - maintenance
  - contractor management.

### 3.3 RECORD-KEEPING AND DOCUMENT MANAGEMENT

Documents are a key part of health and safety management systems. All farms should set up, maintain and store the correct health and safety documents.

The most basic document every farm needs is a **hazard register**. Use it to record identified hazards, hazard controls and issues raised through hazard monitoring.

Farmers must record all accidents and incidences of serious harm in an **accident register**. This doesn't have to be complicated; just keep a written record.

Another farm safety document WorkSafe considers good practice is a **farm map** that identifies hazards, no-go zones and safe routes.

Other records to be kept are:

- > employee training and qualification records
- > details of incidents, complaints and follow-up actions
- > hazardous substance and new organism (HSNO) safety data sheets (SDSs)
- > farm rules and procedures
- > organisation charts (if needed, such as for large farms)
- > health and safety audits and reviews
- > improvement notices
- > supplier and contractor information
- > inspection, calibration and maintenance records
- > standards and guidelines.

### 3.4 RULES AND PROCEDURES FOR SPECIFIC TASKS

Farms should have health and safety rules and procedures for risky farm tasks. For example, how to manage problems in the farm dairy, what vehicle to use for which task and when to wear a helmet. WorkSafe NZ has guidance on most topics to help with this.

During an employee's induction and when assigning tasks, tell employees about these rules and procedures; check regularly to make sure everyone's sticking to them. Document this if possible. Employment contracts should have a clause requiring employees to obey the farm's health and safety system.

Farms should also have rules and procedures to help manage working hours, rest and fatigue.

### 3.5 TRAINING AND CAPABILITY

Employers must train or supervise employees so they can do their work safely.

The employer or person in control of the workplace must tell people doing work about the hazards of the work and what they need to do to stay safe.

Get a skilled worker to closely supervise new or untrained employees until they can work safely.

Young workers, new employees, people doing new or different work and people returning to work after a long time away have a higher risk of being injured. Think about providing 'refresher' training to these workers.

Training helps people share knowledge and develop skills. It can help influence behaviour and improve health and safety.

A farm training programme should:

- > have an induction – to show new employees around the farm and tell them about hazards and safety procedures
- > identify what skills, knowledge or competencies employees need to do particular tasks
- > provide ways to train employees – for example, use external training providers or do on farm instruction
- > make sure people only do work if they're trained and/or properly supervised
- > keep records of employee training and instruction, and identify which jobs they can and can't do.

People might need extra training for some processes and machinery. When they have finished training, get them to explain and demonstrate their understanding. Even if a new employee has excellent qualifications and experience, always assess their competence to work on your farm.

Employees have a right to get involved in workplace health and safety. One way you and your employees can do this is to elect a health and safety representative. This is a person your employees can talk to if they have workplace health and safety concerns or suggestions. They will work with you in good faith to find a solution to health and safety problems.

Under the HSE Act a health and safety representative is entitled to take two days paid leave a year to attend approved health and safety training.

### 3.6 ASSIGNED ROLES AND RESPONSIBILITIES

Assign on-farm roles and responsibilities to people with the knowledge and skills to do the job effectively. Discuss these with employees, agree to them and record them.

Being clear about health and safety responsibilities will make sure tasks fit the workers' authority, skills and knowledge, improving health and safety on-farm.

### 3.7 EMPLOYEE PARTICIPATION

Employees and others who face workplace hazards often have valuable knowledge and the motivation to improve workplace health and safety. The HSE Act requires you to consult with employees on health and safety issues and to encourage them to help manage workplace health and safety.

Section 19B of the HSE Act says employers must give employees 'reasonable opportunities' to get involved with improving workplace health and safety. This can be a good way to reduce injuries as well as improve business efficiency. Empower, involve and value workers – this will have benefits beyond health and safety.

The rules about employee participation vary depending on the size of the business. Employers must consider the following:

- > If you have more than 30 employees, you must develop an 'employee participation system'.
- > If you have fewer than 30 employees, you must develop an employee participation system if an employee or their union asks for one. However, it's good practice to have an employee participation system whatever size your business is.

Employee participation schemes can include:

- > holding regular health and safety meetings with employees
- > electing employees as health and safety representatives, either as individuals or as part of a health and safety committee
- > different health and safety representatives or committees to represent different types of work or different workplaces.

Any employee participation system must be reviewable.

If an employee health and safety representative or committee recommends something, employers must either adopt it or provide a written statement setting out reasons for not adopting it.

Elected health and safety representatives can attend an approved health and safety training course, and have up to two days' paid leave per year to attend.

### 3.8 EMERGENCY PLANS

While the goal of a health and safety management system is to prevent incidents, emergencies still happen.

Farms should have basic procedures for managing emergencies. They should include:

- > emergency procedures for particular tasks, hazards and accidents



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- > identifying people with suitable training – such as first aid
- > who to ring for different emergencies and having a phone or radio available to use
- > contact numbers for nearest neighbours
- > first aid supplies
- > procedures for staff working alone, including mobile phone use, site maps and GPS coordinates
- > making sure staff know the farm's name, road name, Dairy Company number (if applicable) to give to emergency services
- > fire extinguishers where suitable
- > personal protective equipment (PPE)
- > an agreed meeting place for emergencies.

### 3.9 MONITORING ENVIRONMENTAL ISSUES THAT COULD IMPACT EMPLOYEE HEALTH

Farm workers are exposed to a number of environmental hazards that over time can affect their health. These include:

- > dust – from animals, dirt, manure
- > exhaust emissions
- > agrichemicals
- > loud noise – from tractors, shearing machines, stock and other farm machinery
- > vibration – both hand-arm and whole-body
- > ultra-violet radiation – from being in the sun
- > stress, fatigue, lack of sleep, and alcohol and drug use, which can cause physical, mental or emotional harm.

It can be difficult or impossible to eliminate or isolate farm workers from these types of environmental hazards. In such cases, you must put controls in place to minimise them and monitor employees' exposure to them.

You should measure workers' exposure to these environmental hazards (where it is possible and practicable) to find out whether the degree of exposure is potentially harmful.

This is 'work environment monitoring'.

In other cases, accurate measurement is not practicable. In these cases, take a common sense approach. Think about whether something could be potentially harmful, ask workers for their opinion and then monitor their health and fitness – see the next section for more information.

You cannot choose to monitor your employees' exposure to a hazard instead of taking all practicable steps to minimise the hazard. You have to monitor each employee's exposure to any hazard.

You might do general workplace monitoring, but you should target the monitoring at the level of exposure each employee could experience. If you can only minimise hazards, measure how successful the controls are by monitoring the controls' effect on people and their health. A farming example is getting a GP to do a lung function test to see what effect dust is having.

### 3.10 MONITORING EMPLOYEES' WORK FITNESS

Another type of health surveillance is monitoring people's health to check they are fit to do their job. This is important if their health directly impacts on the health and safety of others. Make employees aware of this. Try to get their consent to health surveillance when they start employment.

Health surveillance can give people early warning of medical conditions before they become a problem, affect their health or stop them from working.

A typical health monitoring regime would involve:

- > identifying all the environmental hazards employees may face (as set out in the section above)
- > sending workers for a 'baseline' medical test within 3 months of them starting work
- > an annual health check to see if exposure is worsening their health.

Note that different types of environmental hazards need different tests. For example, exposure to noise will need a check from an audiologist.

Employers must tell employees about the results of:

- > individual health monitoring
- > if requested, workplace exposure monitoring.

If you give out the results of monitoring, you have to protect employees' privacy. Make monitoring information available to health and safety representatives if this helps them in their job.

All employees must be fit for work. Unfit employees can be unsafe.

'Fit for work' means a person can physically and mentally perform assigned tasks competently and safely. In farming, fitness for work can be affected by:

- > fatigue
- > dehydration
- > emotional issues
- > mental health problems
- > alcohol and drugs
- > gambling.

General principles for managing work fitness issues:

- > Make sure employees can recognise signs of not being fit for work in themselves and in others. They must know what to do if an issue arises.
- > Everyone can face these problems at one time or another. A supportive response is usually more suitable than discipline.
- > Set up and run a good drug and alcohol policy. WorkSafe has guidance on how to create an effective policy.
- > Recognise when something compromises an employee's ability to work safely and do something about it.

- > If you have rules to help manage these issues, make sure the rules are clear, well known and applied consistently.
- > Employees must take all practicable steps to be fit for work.

Mental health:

- > Stigma and discrimination might prevent employees disclosing mental health problems
- > Seek expert assistance for employees with mental health problems
- > The longer a person stays in treatment, the more likely they are to recover.

See [www.mentalhealth.org.nz](http://www.mentalhealth.org.nz) or [www.depression.org.nz](http://www.depression.org.nz) for more information.

Alcohol in the workplace:

- > Manage alcohol consumption at work-related events in the workplace carefully.
- > The employer must approve any event.
- > Put a designated driver in place if work-related travel is needed after the event.
- > Ensure that non-alcoholic refreshments and food are available.
- > The employer or designated driver should keep any work vehicle keys safe.
- > Employees must not work after the event if they're still affected by alcohol.

It is an offence to supply alcohol to anyone under 18 without parental consent.

### 3.11 ACCIDENT REPORTING AND INVESTIGATION

A farm health and safety system must review accidents and near-miss incidents to stop or reduce the chances of the same or similar incidents happening again.

Employers, principals and self-employed people must record all serious harm events (as defined in the glossary) and any deaths, and report them to WorkSafe NZ.

- > Employers must record all accidents or harm, including 'near misses' where someone could have been injured or

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harmed. You must find out if a significant hazard caused the incident, and if so, control it.

- > To help employers, employees must report all injuries and incidents. This includes physical injuries and early symptoms of possible work-related illness. To do this, employers should give employees information about what the early symptoms of illness or gradual process injury look like.

Recorded information is useful for working out how, where, when and why accidents happen. Use this information to prevent further accidents.

Injured or ill people should get medical treatment.

If a trained health and safety representative identifies that something is unsafe, they must bring the hazard to the employer's attention and try to discuss steps for controlling the hazard. If the employer won't talk to the representative about it, or they and the representative can't agree how to fix the hazard, the representative can issue a hazard notice. The representative must have reasonable grounds to believe that a hazard exists (such as it being identified in WorkSafe NZ guidance).

If a representative issues a notice, they can tell an inspector about it.

### 3.12 FARM SAFETY INSPECTIONS

Farm safety inspections are one of the best tools for finding hazards and putting controls in place before accidents happen. It is also one of the best ways to show employees that farm health and safety is important.

A safety inspection should:

- > confirm that workers are following farm rules and processes
- > identify problems with hazard controls
- > identify bad practices
- > identify vehicle and equipment problems like normal wear and tear, abuse or misuse

- > if it's safe to do so, take immediate action to fix things, even if it's temporary.

Safety inspections show the farm owner or manager's commitment to farm health and safety. Do formal inspections alongside informal supervision and monitoring to make sure employees retain awareness.

### 3.13 MAINTENANCE

The law says businesses must keep vehicles, machinery, equipment and buildings in safe working condition. Mobile and fixed plant pose some of the greatest hazards on the farm. Planned maintenance should be done regularly, rather than only addressing issues when they arise. Unplanned maintenance can be riskier than planned maintenance. Inspect and service plant using service manuals and known safe methods.

Use suitably qualified people to make any changes or repairs and keep a written record.

Prepare checklists and use them to check and confirm condition, mechanical integrity and that machines are working properly.

### 3.14 CONTRACTOR MANAGEMENT

Contractors and sub-contractors have a big role on farms. Farm owners' and managers' responsibilities extend to the health and safety of everyone who works on the farm – full-time, part-time, casual employees, contractors and their employees, sub-contractors and consultants.

They, in turn, have certain responsibilities to you as the employer (principal).

Contractors and sub-contractors have the same duty of care to their employees as any other employer.

Contractors need to know what the principal's health and safety procedures are so they can assess their employees' safety on site. Farm owners and managers must work with contractors to make sure they share a common understanding of the hazards that workers face and how the site will be made safe.

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## WORKING HOURS

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### IN THIS SECTION:

#### 4.1 Working hours, rest and fatigue

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There are no standard working hours in New Zealand. However, the Minimum Wage Act 1983 sets out a maximum 40-hour, 5-day work week, unless employers and employees agree to something different.

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#### 4.1 WORKING HOURS, REST AND FATIGUE

Employers often dictate their opening hours according to their business needs. Farming is challenging, needing long and irregular hours; but employees have a right to regular breaks and rests.

The Employment Relations Act 2000 states all employees must have a 30-minute meal break and two 10-minute rest breaks in any 8-hour period.

Fatigue and dehydration can cause headaches, loss of sleep, loss of concentration and a lack of coordination. A healthy snack during rest breaks can restore energy. Physically or mentally demanding work is especially tiring and employees need frequent rest breaks.

Personal reasons like the employee's age, general health, sleeping patterns, lifestyle and work experience affect how they cope with fatigue. Employees new to a task will need more supervision when doing the job than an experienced employee.

Employers must take all practicable steps to keep employees safe at work. This also means making sure working hours and shift patterns are reasonable, to reduce the risk of fatigue and the harm it can cause.

Employers must also give employees breaks and a suitable place to breastfeed (including expressing breast milk), as far as it's reasonable and practicable to do. These breaks are unpaid unless you and the employee agree differently. Breastfeeding breaks are in addition to the standard rest and meal breaks, unless you and the employee agree to something different.

Employers can manage fatigue in the workplace by:

1. **Talking to staff** about how to reduce and combat tiredness on the job. Point out the employer's responsibility to keep employees healthy and safe, and workers' responsibilities to manage their own safety. Employees are also responsible if their poor judgement (caused by fatigue) harms someone. The employee's responsibility also includes personal health care. For example, an employee in charge of dangerous machinery who starts work with a hangover could endanger others.
2. **Evaluation of work arrangements:** Arrangements like shift-work require employees to work when people are normally asleep. Your employees need to take breaks and get enough sleep between shifts. Work out how you can balance these needs.
3. **Compromise:** Shift-working arrangements are a compromise between your need for work to continue when people normally sleep, and your employees' need to take breaks and get enough sleep between shifts. Work out how you can balance these needs. Do you need to provide more breaks on certain shifts?

Well-rested employees, contractors and others help make the work environment safe. It can help you significantly reduce the personal, social and financial costs of accidents.



Employers should:

- > limit shifts to a safe number of hours
- > make sure staff take regular rest breaks during shifts
- > where appropriate, make food available for staff to keep alert
- > monitor shifts – to ensure people are working appropriate hours and aren't fatigued
- > know when people are most likely to be affected by fatigue
- > manage shift work and overtime so employees get enough time to recover with high-quality sleep
- > if possible, let employees have longer periods off if they have to sleep during the day to work nights
- > have contingency plans in place to cover for staff when they're ill

- > understand how fatigue contributes to accidents when you investigate them
- > support staff as far as possible and ask them how you can do this
- > remove staff from hazardous jobs if you suspect they are not feeling 100 per cent.

Employees and contractors should know about:

- > suitable food and eating times
- > how caffeine and alcohol affect sleep
- > how prescribed medications (like antihistamines) affect their alertness
- > how to make the most of their breaks
- > how to use their recovery and rest time well
- > how to adjust their sleeping area for good sleep
- > how to recognise fatigue
- > getting to and from work safely
- > the impact of exercise on fatigue.





# 05/

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## FARM VISITORS

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### IN THIS SECTION:

- 5.1 Work-related visitors to farms or other private land
- 5.2 Recreational visitors to farms, private or public land

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**The person in control of the workplace (usually the farmer or landowner) must take all practicable steps to make sure people working in and visiting the workplace are safe from workplace hazards.**

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### **5.1 WORK-RELATED VISITORS TO FARMS OR OTHER PRIVATE LAND**

The Act is about managing work in a healthy and safe way and keeping employees and others safe.

It recognises that no one person can stop harm and gives people a range of duties. These duties consider the person's ability to control the work and prevent harm. If a person only has a limited ability to control the work or events leading up to harm, they are only accountable for what they can control. If a person can control the work or events, but took no action and harm occurred, they could be held legally responsible.

If employers need their employees to work on private land (such as vets visiting farms, farm advisors, meter readers, local authority employees), the part of the farm where they will work is their workplace.

The person in control of the workplace (usually the farmer or landowner) must take all practicable steps to make sure people working in and visiting the workplace are safe from workplace hazards. The employer of a visiting employee must make sure the person in control of the workplace has taken all practicable steps to keep their worker safe on the farm.

Under the Act, various people with safety responsibilities share duties. Those duties will overlap between people with responsibilities. A principal has a duty to a contractor, the contractor has a duty to their employees and a self-employed contractor to themselves and others.

### **5.2 RECREATIONAL VISITORS TO FARMS, PRIVATE OR PUBLIC LAND**

The Act mainly applies to people at work. However, in some cases, section 16 of the Act places some responsibility on people in control of the workplace to take all practicable steps to make sure others in the workplace are not harmed.

#### **DUTIES**

Under the Act, people visiting the farm for a workplace-connected reason are covered.

Simply, a farmer has a duty under the Act to warn authorised visitors of any work-related, out-of-the-ordinary hazards that may cause them serious harm.

A farmer is not required to warn visitors about hazards from normal every-day farming activities.

This includes natural hazards on the farm, such as bluffs, landslides, rivers, swamps or wasp nests, that would ordinarily be expected.

#### **UNAUTHORISED VISITORS**

A farmer is not liable if anyone comes on to their land without permission and suffers harm, whether from a work-related hazard or for any other reason.

#### **AUTHORISED VISITORS**

An authorised visitor is anyone who visits a farm with the farmer's permission and includes people who come for leisure or recreation. This includes people who are legally allowed to be on the property, but only if they have told the farmer they are coming. Such people

## SECTION 5.0 // FARM VISITORS

include employees of TransPower, Department of Conservation and local authorities.

A farmer is not responsible if an authorised visitor is injured, if the farmer warned the visitor about any hazards caused by work on the farm, which the farmer knew could harm that person and a visitor wouldn't normally expect to face. For example, hazards from tree felling, blasting, earthmoving machinery or pest control operations.

A farmer only has to tell visitors verbally about the hazard, at the time they give permission to go on the land. If a group of people visit, it's enough to give the warning to a representative of that group.

### PAYING CUSTOMERS

If people pay to use a farmer's land, or are there to inspect goods for sale, the people become customers. Farmers must take all practicable steps to keep customers safe from any hazard on the farm. Customers can include: people paying to use the farmer's land for camping, horse trekking or fruit picking; or where a tour operator pays for tourists to visit a scenic site on the farmer's land.

### OTHER PEOPLE

A farmer also has a full duty to other people near where work is being done. But the farmer is only responsible for managing hazards within their control.

### VISITOR RESPONSIBILITIES

Visitors should take care of themselves by not:

- > interfering with plant or equipment, including electrical installations or fences
- > entering unauthorised areas or farm buildings
- > disturbing or unnecessarily approaching farm animals or work activities
- > letting children wander unsupervised
- > ignoring instructions or warnings
- > leaving gates open or damaging fences.

### WARNINGS AND INFORMATION FOR VISITORS

The farmer or landowner might need information, instructions or warning signs to alert visitors to known hazards.

Visitors should make sure they take notice of any warnings and stop if in doubt; until they talk to the farmer or landowner for advice. Visitors should not go into unauthorised areas.

If the visitor can't contact the owner or occupier, they shouldn't go ahead. If obvious hazards exist, the visitor must take suitable precautions.



# 06/

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## **CHILDREN AND YOUNG PEOPLE**

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### **IN THIS SECTION:**

- 6.1 Legal duties
- 6.2 The hazards children face
- 6.3 Tips for child safety  
on farms

Farms are unique environments where families work, live and play. This doesn't happen on this scale in any other industry or workplace. It raises unique challenges that other business operators may not have to consider.

### 6.1 LEGAL DUTIES

The Health and Safety in Employment Regulations 58E(1) and 60(2) (the Regulations) forbid employers employing, or letting young people under 15 years work in the following work areas:

- > places that manufacture goods for trade or sale
- > construction workplaces
- > forestry workplaces
- > other places where the work might affect the health and safety of people under 15 years.

Children can visit these workplaces if they are closely supervised and are there for an organised school trip or other similar reason.

Employers also:

- > can't let young people under 15 years lift weights or do work that might affect their health
- > must not let people under 15 years work or help with work on machinery
- > must not let people under 18 years clean machines while the machine is in motion, or work between the fixed and moving parts of machines in motion
- > should not employ people under 16 years between 10pm and 6am, unless the work has an approved code of practice.

There are separate duties for principals who engage young people as contractors and for people who control workplaces, to make sure young people don't do hazardous work, see Regulations 58A to 59.

The regulations require employers, principals and people who control a workplace to take all practicable steps to make sure that someone under 15 does not drive a tractor or ride on a tractor or a tool.

However, in the agriculture sector, someone over 12 can drive or ride a tractor if they are not an employee (doing unpaid work) or are working as an independent contractor. They must be fully trained or being trained on how to use the tractor, and any implement being towed.

Despite this exemption, the best way of keeping young people safe on the farm is to stop them using machinery or driving vehicles.

#### Regulation 61 Exception for tractors

Regulations 58E(1) and 60(2) do not apply where—

- (a) the youth is over the age of 12 years; and
- (b) a tractor is being used in connection with agricultural work; and
- (c) the youth—
  - (i) has been fully trained in the safe operation of the tractor and the safe use of any implement that is being drawn by or is attached to the tractor; or
  - (ii) is being trained in the safe operation of the tractor or the safe use of any implement that is being drawn by or is attached to the tractor.

## 6.2 THE HAZARDS CHILDREN FACE

- > All animals can be unpredictable, especially if startled or protecting their young. Children can lack the judgement to deal with animals safely and the size, speed and dexterity to get out of the way safely.
- > Children can get animal diseases like leptospirosis, ringworm and campylobacter.
- > Children lack the judgement, body weight and strength to handle full-sized farm vehicles (like quad bikes).
- > Children need to understand why tractors can be so dangerous. Younger children can be injured playing on or near tractors. Older children are likely to be injured as passengers or while carrying out farm tasks.
- > All farm machinery has the potential to harm. Guards could have holes small enough for children's hands to get through.
- > Store dangerous farm chemicals safely out of children's reach.
- > Remove keys from doors and vehicles. Never leave vehicles unattended with the motor running.
- > Make sure it is safe to reverse farm vehicles. Walk around the vehicle and make sure children are a safe distance away before starting the engine.
- > Children should not ride on tractors, quad bikes or on the back of utes.
- > Road safety on private and public roads is vital. Have children in car seats and seat belts when in cars, utes and trucks.
- > Make sure children wear high-visibility clothing when out and about on the farm.
- > Teach children to wash and dry their hands after touching animals.
- > Cover tanks and wells with child resistant covers or fill in disused ones.

## 6.3 TIPS FOR CHILD SAFETY ON FARMS

- > Walk around the farm with children and identify hazards together.
- > Farms should have a map of all the water hazards on the property – rivers, creeks, troughs, dips, tanks, dams and ponds. Hot water can burn, especially in the dairy shed where scalding water is used.
- > Adult supervision is vital. For young children it needs to be close and active.
- > Lead by example. For example, always wear an approved helmet on a quad bike.
- > Think about whether it's practical to have safety fences around play areas, animal pens, work areas and water spots.
- > Keep doors shut or locked so little ones can't get anywhere they're not supposed to. Keep workshops locked where practical.
- > All machinery should have suitable safety guards.
- > Tie spare tractor wheels to walls or lie them flat so they can't fall over and crush a child.
- > Make sure children ride bikes appropriate for their age and height in line with manufacturers' specifications.
- > If children are riding a smaller model farm bike, they need to wear an approved helmet and closed-in shoes. An adult should always supervise them.
- > Teach children the dangers of speeding and uneven ground.
- > Make sure children know what to do in an emergency: what to do, where to go and who to call. Teach children basic first aid.
- > Make it a rule for older children to always say where they are going.

Children do listen, understand, remember and apply rules over time. But things change – seasonal work, new hazards, environmental changes, getting older, having friends over – so farm safety needs constant attention.



# 07/

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## **AGRICULTURAL EMPLOYEES' ACCOMMODATION**

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### **IN THIS SECTION:**

#### **7.1 Accommodation**

## Requirements for agricultural employees' accommodation, facilities and amenities are set out in the Health and Safety in Employment Regulations 1995.

### 7.1 ACCOMMODATION

Build the accommodation from sound and weatherproof materials. New buildings must comply with the Building Act 2004. Locate them away from stock yards and other areas where flies and similar health issues could be a problem. Store machinery and chemicals well away from residential areas.

Caravans and tents are not suitable accommodation.

The roof should have gutters and downpipes that carry rainwater away from the building. Line and finish interior walls of timber-framed buildings. Stop and batten joins in wall linings. Paper, paint or varnish wall surfaces. Provide suitable thermal insulation.

Make sure floors are draught-proof and have a smooth, easily cleanable surface. If the floor is concrete, cover it with material like sheet vinyl flooring. Cover ventilation openings in foundation walls with mesh or screen them to keep out vermin.

Bedrooms should have the following minimum dimensions:

- > For one person: 6m<sup>2</sup> of floor space, 2.4m high in any part, 1.8m wide in any part.
- > For two people: 9m<sup>2</sup> of floor space, 2.4m high in any part, 2.1m wide in any part.
- > For more than two people: 9m<sup>2</sup> for the first two people and 4.5m<sup>2</sup> for every extra person – 2.4m high in any part, 2.1m wide in any part.

Furnish bedrooms with suitable beds and mattresses, and cupboards or wardrobes for hanging up clothes.

### FACILITIES AND AMENITIES FOR EMPLOYEES AND CONTRACTORS LIVING ON THE FARM

Employers in agricultural workplaces must ensure that there are satisfactory amenities and facilities for agricultural employees and contractors.

### COOKING FACILITIES WHERE ACCOMMODATION IS PROVIDED

The cookhouse should be big enough to prepare food in. It is ok to have the cookhouse and dining room in the same room.

The cookhouse should have the following requirements:

- > There should be at least 1.5m clear floor space on the working side of the cooking stove and sink bench.
- > No one can use the cookhouse as a bedroom.
- > Provide suitable cooking equipment, utensils and appliances.
- > Provide hot water at the sink.
- > Provide ventilation in the cookhouse. As a guide, the window space should be at least equal to one tenth of the floor area, and at least half of the windows should open.
- > Provide enough cupboard space for storing non-perishable food, utensils and equipment.

## SECTION 7.0 // AGRICULTURAL EMPLOYEES' ACCOMMODATION

### DINING FACILITIES AND FURNITURE

- > There should be enough room for employees to eat their meals in reasonable comfort. As a guide, the dining room should allow at least 1.1 m<sup>2</sup> of floor space for each person. Provide tables and enough seating for all employees at one sitting. Benches with backs are acceptable, but do not attach them to the floor, as this makes it harder to clean.
- > Provide enough equipment, utensils and appliances for dining.
- > No-one should use the dining room as a bedroom.

### HEATING

Ensure some form of heating – electric, gas, open fire, coal range or space heater (and fuel) in at least one room.

### LAUNDRY FACILITIES

Ensure a washing machine for laundering clothes.

### LIGHTING AND VENTILATION

- > Light all rooms with natural and artificial lighting.
- > Artificial lighting should provide a reasonable level of illumination (a minimum of 75 lux).
- > The window areas should be at least equal to one-tenth the floor area, and half of the windows should open.
- > If possible, cross-ventilate rooms.

### REFRIGERATION

Supply a refrigerator and freezer.

### RUBBISH DISPOSAL

Provide bins with tight-fitting lids for storing rubbish. Dispose of rubbish so it does not become a health hazard. Do not store rubbish near accommodation.

### SANITARY CONVENIENCES

Provide a toilet if it is practicable to do so. Installed toilets should meet the standards in the Building Act 2004.

### WASHING FACILITIES

- > Provide baths or showers.
- > Each shower should have an attached dressing area.
- > Each compartment (shower and dressing area) should have a floor area of at least 1 m<sup>2</sup>.
- > If not providing separate facilities for females, the doors should be lockable.
- > Provide hand basins with hot and cold water.

### WATER

- > Provide water that is safe to drink.
- > Provide enough hot water for showers, baths, hand basins, washing clothes and cooking.

### SICKNESS

If practicable, set aside an area where employees can rest if they feel unwell. If this is not practicable, make other arrangements, such as sending them home.

### CLEANLINESS

Employers should ensure that every workplace under their control is kept clean and hygienic.

# 08/

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## RURAL FIRE

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### IN THIS SECTION:

- 8.1 Planning for a controlled burn
- 8.2 Safe distance
- 8.3 Equipment
- 8.4 Access and escape
- 8.5 Piles
- 8.6 Windrows
- 8.7 Personal protective equipment
- 8.8 Protecting farm buildings and machinery from fire

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Planning and organisation are essential for ensuring a safe and effective burn. There are a few things to consider before you start.

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### 8.1 PLANNING FOR A CONTROLLED BURN

It is a good idea to talk to your local fire authority before lighting the fire: they can provide advice and guidance. A fire officer's advice does not take away your responsibility for the fire but making use of their expertise reduces your risk. Rural Fire Authorities do not charge for this service.

Your Rural Fire Authority may require a burn plan. Burn plans consider factors such as topography, fuel and weather to understand how the fire will behave. It describes the safest and most effective way to carry out a particular fire.

Check the fire season status; you may need a permit to burn. During the restricted fire season, you will need a permit. You cannot light any open fire during a total fire ban.

Before you burn:

- > Contact the appropriate authority if power and telephone lines are nearby.
- > Check the long-range weather forecast for the following 48 hours and make sure no strong winds are forecast.
- > Consider lighting your fire after 1pm as weather is generally more stable in the afternoon.
- > The fire should only be lit with wind blowing away from any shelter belt, trees, fences, buildings or other combustible material.
- > Have a plan in case things don't go as planned.

During burning:

- > Be ready to put the fire out at the first sign of a change in weather or other conditions that could move the fire out of your control.
- > If the fire moves outside the area, dial 111 and ask for the Fire Service.

After burning:

- > Strong winds can fan a fire back into life and shift embers, creating unwanted fires. Piles of burnt vegetation can hold heat for months after burning.
- > Check your pile in the days and weeks following burning to ensure it is cold in the centre. Turn the pile and, if possible, apply water to cool it down.

### 8.2 SAFE DISTANCE

- > Consider how far your fire is from other flammable material. Remember heat from your fire can be transferred by radiated heat, convection heat or embers.
- > Keep at least 30–50 meters between your fire and other vegetation or buildings.
- > Ensure you are burning downwind of anything flammable; this reduces the chance of the wind carrying embers and other hot material into unwanted areas.
- > Ensure smoke does not create a nuisance to neighbouring properties and public roads.

### 8.3 EQUIPMENT

Think about what equipment you will need to keep your fire safe. It is important to have the right equipment on site and set up before you start your fire. If a fire is out of control, it can grow in size and intensity rapidly, leaving you no time to get equipment ready.

- > If it is a big pile with heavy logs, you may want a tractor with a bucket on site to make handling safer.
- > If it is a small pile of tree trimmings, you may only need a spade to manage the material.
- > If you have water nearby, make sure you have a pump or hose set up and running.
- > Make sure you have enough people so you can see all of the burning area and are aware of what the fire is doing.
- > Give people specific tasks.

### 8.4 ACCESS AND ESCAPE

- > Always have planned escape routes. Make sure everyone knows the safe paths around the fire and escape routes, in case the fire doesn't go as planned.

### 8.5 PILES

- > Start with a small pile and gradually add material to it to keep control of the intensity of the fire.
- > If you have several piles, only light a few at a time.
- > If you have several piles, start with the pile farthest downwind and burn each pile back from there.

### 8.6 WINDROWS

- > Start at the end of the windrow farthest from the direction of wind; burning into the wind reduces the speed and intensity of the fire and allows you to keep control of the burning.
- > If windrows run up a hill, start at the top of the hill – the fire will burn slower downhill, allowing you to keep control.

### 8.7 PERSONAL PROTECTIVE EQUIPMENT

To prevent injury, wear the right gear when working around fire:

- > choose natural fibre clothing, such as cotton or wool (synthetic materials can melt and cause severe injuries)
- > beware of metal clothing components such as zips and buttons that can heat up and burn you
- > ensure your legs and arms are covered
- > do not tuck clothing in – instead create layers so hot material you come into contact with doesn't catch in your clothing (eg don't tuck the bottom of trousers into socks, let the trouser leg fall over the outside of your boot)
- > wear sturdy laced-up leather boots
- > when working close to the fire use heavy leather gloves to protect your hands from radiant heat and hot material.



## 8.8 PROTECTING FARM BUILDINGS AND MACHINERY FROM FIRE

Good planning, maintenance and housekeeping are the keys to protecting farm buildings and machinery:

- > Store liquid fuels and chemicals in clearly labelled approved containers and in a single purpose location away from other farm buildings.
- > Keep areas clean of rubbish, oily rags, firewood and other fuel sources.
- > Fit suitable fire extinguishers in farm buildings and on machinery.
- > Check all machinery is free of mechanical defects that could start a fire and has an approved exhaust system and spark arrester.
- > Clean all machinery regularly to ensure belly pans and spaces around the motors are free of oil, dust, grease, grass and straw.
- > During nesting season, check machinery each time before starting it up; it only takes 15 minutes for a starling to make a nest.
- > Keep trees and branches at least 3 metres clear of power lines.
- > Bale and stack hay when it is dry to prevent spontaneous combustion.
- > Do welding and angle grinding only in clear areas. Wet down and have fire equipment handy.
- > Keep paddocks around farm buildings and yards well grazed to reduce any spread of fire.



# 09/

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## **BRIDGES ON PRIVATE PROPERTY**

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### **IN THIS SECTION:**

- 9.1 Design**
- 9.2 Use**
- 9.3 Maintenance and inspection**
- 9.4 Further evaluation**

## If you do not inspect and maintain the bridges and culverts on your property, you are putting people at risk.

Many bridges on private property don't specify live load carrying capacity or overweight ratings, and have few (or no) design and construction records. Because of the cost involved, they are usually never inspected.

Owners and users of bridges on private property put themselves and others at risk if the bridge's strength and weaknesses, vehicle types, loads and axle weight restrictions of vehicles, as well as speed, aren't defined.

The best way to ensure the safety of bridges on private property is to get an engineer's evaluation of the weight rating and safety of the bridge.

### 9.1 DESIGN

- > Bridges built on private property may be old and originally built to take smaller vehicles and equipment.
- > Some older bridges don't have inspection certificates, systems or design information.
- > Timber treatment in older bridges varies. Even treated timber bridges of a certain age can often be inadequate.
- > Some bridge decks have a large overhang (cantilever) that extends out unsupported, with the kerb on the deck's outside edge. An overhang should be no more than 500 mm to the inside edge of the kerb.

### 9.2 USE

- > Modern vehicles and equipment are larger and heavier than older vehicles and equipment.
- > The wheel base of loaders, machinery and other equipment may be wider than the bridge's beams.

### 9.3 MAINTENANCE AND INSPECTION

- > The bridge's weight-bearing capacity can't be figured out by visual inspection without some expert and background knowledge.
- > Farmers, landowners and users usually don't know how to work out if a bridge is suitable for its purpose if inspections and certification haven't been carried out.
- > Bridges need building consents, but you don't need a consent to maintain an existing bridge.
- > There are costs associated with bridge inspection by an inspector or engineer. Costs vary accordingly.

There is no formal standard for checking bridges, so it's recommended that land owners, users and contractors do a visual check to decide if the bridge is safe to use. If there's any doubt, consult an expert.

Check the following:

1. Deck condition – Are there any rotten boards? Is there good drainage or is it slippery?
2. The distance of the cantilever from the under-bridge supports is not too big (eg approximately 500 mm).

3. That the coatings on steel structures are in good condition. Is there any obvious bolt or fitting corrosion (rust)?
4. Concrete deterioration, such as seeing corroded (rusted) reinforcing in beams, piles or abutments; cracks in beams, piles or abutments.
5. Decay in timber piles, and rusted or corroded fixings.
6. Built-up debris in the river, which could weaken the support structures. Also, think about the effects of erosion on banks and river beds, as this can impact on the structure's stability. (Note: if there is any concern, get an New Zealand Transport Agency (NZTA) bridge inspector to check the bridge).
7. Damage, such as impact damage from vehicles, especially to guardrails and handrails.
8. The bridge's approach is suitable for the vehicles accessing the bridge. This includes angle and road conditions.
9. Whether the bridge's structure is suitable for the types of vehicles accessing the bridge:
  - Is the vehicle a single or tandem unit with one or more sets of wheels on the bridge at the same time?
  - Check with visiting employees or contractors using the bridge about the weight of their vehicle and loads.
  - Think about which wheel widths and vehicle speeds are suitable for the bridge. (Note: a bridge inspection and certification is needed.)
10. Think about signage at the bridge's approach if restrictions are necessary. The owner can provide a notice about the bridge's strength, or put a sign on the bridge itself, so anyone driving a heavy vehicle knows what weight or load it can safely carry. (Note: a bridge inspection and certification is needed.) The Transit New Zealand Manual has some ways to manage risks posed by weak bridges, until the owner strengthens or replaces the bridge, like:
  - a speed restriction
  - vehicle gross weight and/or axle weight restrictions
  - limiting the number of heavy vehicles allowed on the bridge at the same time
  - closing the bridge to heavy vehicles and rerouting them around a bypass, such as a nearby bridge or through a stream.

#### 9.4 FURTHER EVALUATION

1. Check for the bridge builder's stamps or markings on or around the bridge – this might include the dates the bridge was built. Information may be available from the builder. Check if the bridge has been rated for maximum load.
2. Check the availability of any systems, design specifications or information on file from district or regional councils, or from the bridge builder if known.
3. Check your city, regional or district council to find out their rules about who regulates the bridging of rivers and streams within the region under the Resource Management Act 1991.
4. Regular inspections by a suitably qualified person of all bridges longer than 3 metres and higher than 3 metres can significantly reduce the risk.

# 10/

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## APPENDIX

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### IN THIS SECTION:

10.1 Glossary

10.2 Hazard register

## 10.1 GLOSSARY

| TERM                                     | DEFINITION   |
|--|--|
| Accident Register                        | A document in which all accidents and incidents of serious harm are recorded.  |
| Act                                      | The Health and Safety in Employment Act 1992.  |
| All Practicable Steps                    | <p>Section 2A Health and Safety in Employment Act 1992:</p> <p>'The steps taken to achieve the result that it is reasonably practicable to take in the circumstances, having regard to:</p> <ol style="list-style-type: none"> <li>1. the nature and severity of harm that may be suffered if the result is not achieved; and</li> <li>2. the current state of knowledge about the likelihood and severity of harm that will be suffered if the result is not achieved; and</li> <li>3. the current state of knowledge about harm of that nature; and</li> <li>4. the current state of knowledge about the means available to achieve the results and about the likely effectiveness of each of those means; and</li> <li>5. the availability and cost of each of those means.</li> </ol> <p>To avoid doubt, a person required by the Health and Safety in Employment Act 1992 to take all practicable steps is required to take those steps only in respect of circumstances that the person knows or ought reasonably to know about.</p> |
| Authorised Visitors                      | An authorised visitor is anyone who comes on to a farm with the farmer's express permission and includes people who come for leisure or recreation. It also includes people who are legally authorised to be on the property, but only where they have given the farmer oral notice of their visit. Such people include employees of TransPower, Department of Conservation and local authorities.   |
| Bridge Inspector                         | Employees of NZTA who inspect bridges. They are either a professional engineer or a person who, from extensive practical experience, is competent to judge the condition of bridges.   |
| Checklist                                | A list of all issues or tasks used to ensure they have been assessed or completed.   |
| Communication (Communicate)              | To exchange or share health and safety information. This includes listening to the other person's point of view.   |
| Competent                                | Means a person who has acquired, through a combination of qualifications, training or experience, the knowledge and skill to perform the task required.  |
| Consequence                              | The outcome of an event, being a loss, injury or disadvantage.   |
| Consultation                             | To seek the views of the people who work at the site and to have regard for their views for resolving health and safety matters.   |
| Contractor                               | A person who is engaged to undertake work at the site by a principal, not as an employee of the principal, who undertakes work at the site.  |
| Controls                                 | An action taken that eliminates, isolates or minimises the hazard.   |
| Document Control                         | The systems by which records are kept, including the allocation of responsibility to specific staff members.   |
| Emergency (emergency event, emergencies) | An event or situation that is not controlled where there is a threat to life or the health and safety of people at or outside the operation.   |



| TERM                          | DEFINITION  |
|-------------------------------|---|
| <b>Employee Participation</b> | Any arrangement between an employer and employees (and employee organisations where appropriate) that allows the participation of employees in processes relating to health and safety in the workplace, so that: <ul style="list-style-type: none"> <li>(a) all people with relevant knowledge and expertise can help make the workplace healthy and safe, and</li> <li>(b) when making decisions that affect employees and their work, an employer has information from employees who face the health and safety issues in practice.</li> </ul> |
| <b>Employer</b>               | A person who or that employs any other person to do any work for hire or reward; and, in relation to any employee, means an employer of the employee.   |
| <b>Equipment</b>              | Refer to machinery.   |
| <b>Hazard</b>                 | Something that is an actual or potential cause or source of harm, as per the HSE Act 1992.  |
| <b>Hazard assessment</b>      | The overall process of analysing and evaluating hazard.   |
| <b>Hazard control</b>         | Refer to controls.  |
| <b>Hazard management</b>      | The culture, processes and structures that are directed towards the effective management of potential injury, illness, damage or loss.  |
| <b>Hazard Notice</b>          | a notice that— <ul style="list-style-type: none"> <li>(a) describes a hazard identified in a place of work; and</li> <li>(b) is in the prescribed form; and</li> <li>(c) may set out suggested steps to deal with the hazard</li> </ul>   |
| <b>Hazard Register</b>        | A register to record (in writing) the existence of a hazard, and how and when it is controlled.   |
| <b>Hazardous substance</b>    | any mixture, element or chemical; or<br>any solid, liquid or gaseous substance that has the potential, through being used at work, to harm the health or safety of persons in the workplace.  |
| <b>HSMS</b>                   | Health and Safety Management System.  |
| <b>HSNO</b>                   | Includes both the Hazardous Substances and New Organisms Act 1996 and HSNO Regulations in relation to hazard classification and life cycle requirements for hazardous substances.   |
| <b>Improvement Notice</b>     | A notice issued by a Health and Safety inspector under the Health and Safety in Employment Act, requiring a person to comply with a provision of the Act.   |
| <b>Likelihood</b>             | Used as a description of probability of the hazard occurring.   |
| <b>Machinery</b>              | Plant that is to be used or is used in a place of work.   |
| <b>Mobile plant</b>           | Self-propelled mobile mechanical plant, as per Health and Safety in Employment Regulations 1995.  |

| TERM                                | DEFINITION  |
|-------------------------------------|---|
| Monitor                             | To check, supervise, observe or record the progress of an activity or procedure on a regular basis in order to ensure it is being carried out.  |
| Near Miss                           | An event that has the potential to cause injury or illness if circumstances, such as the interval of time of the event, were different.   |
| Operation                           | The business, and each site within that business.   |
| Paying Customers                    | People who pay to use farm land for activities such as camping, horse trekking or fruit picking, or where a tour operator pays for tourists to visit a scenic site on the farmer's land.  |
| Person who controls a place of work | <p>A person who is:</p> <ul style="list-style-type: none"> <li>&gt; The owner, lessee, sub-lessee, occupier or any person in possession of a place of work; or</li> <li>&gt; The owner, lessee, sub-lessee or bailee, of any plant in the place.</li> </ul> <p>This can include all or any of the Client, Principal, Employer and Contractor.</p>   |
| PPE (Personal protective equipment) | Safety apparel, protective devices and equipment that protect the health and safety of persons.   |
| Pre-start                           | A safety checklist that is undertaken prior to first use of machinery for that day or shift.  |
| Principal                           | A person who or that engages any person (other than an employee) to do any work for gain or reward.   |
| Procedure                           | A set of instructions, rules or a step-by-step description of what's to be done and by whom.  |
| Prohibition Notice                  | <p>A hazard that is an actual or potential cause of (a) serious harm, (b) harm where with severity of it depends on extent or frequency of exposure, or (c) harm that doesn't occur until a significant time after exposure to the hazard.</p> <p>(Section 2 Health and Safety in Employment Act 1992)</p>  |
| Residential Work                    | <p>A hazard that is an actual or potential cause of (a) serious harm, (b) harm where with severity of it depends on extent or frequency of exposure, or (c) harm that doesn't occur until a significant time after exposure to the hazard.</p> <p>(Section 2 Health and Safety in Employment Act 1992)</p> <p>Residential work, in relation to the occupier of a home, means—</p> <ul style="list-style-type: none"> <li>(a) domestic work done or to be done in the home, or</li> <li>(b) work done or to be done in respect of the home by a person employed or engaged by the occupier solely to do work of one or both of those kinds in relation to the home.</li> </ul> |
| Review                              | Checking to see whether goals have been achieved, and to assess what needs to be done in future.  |
| RTW                                 | Return to work.   |

| TERM   | DEFINITION  |
|--|---|
| <b>Serious Harm</b>                                | <p>As defined in the First Schedule to the Health and Safety in Employment Act 1992:</p> <ul style="list-style-type: none"> <li>&gt; 'Any of the following conditions that amounts to or results in permanent loss of bodily function, or temporary severe loss of bodily function: respiratory disease, noise-induced hearing loss, neurological disease, cancer, dermatological disease, communicable disease, musculoskeletal disease, illness caused by exposure to infected material, decompression sickness, poisoning, vision impairment, chemical or hot-metal burn of eye, penetrating wound of eye, bone fracture, laceration, crushing.</li> <li>&gt; Amputation of body part.</li> <li>&gt; Burns requiring referral to a specialist medical practitioner or specialist outpatient clinic.</li> <li>&gt; Loss of consciousness from lack of oxygen.</li> <li>&gt; Loss of consciousness, or acute illness requiring treatment by a medical practitioner, from absorption, inhalation, or ingestion, of any substance.</li> <li>&gt; Any harm that causes the person harmed to be hospitalised for a period of 48 hours or more commencing within 7 days of the harm's occurrence.'</li> </ul> |
| <b>Significant hazard</b>                          | <p>A hazard that is an actual or potential cause of (a) serious harm, (b) harm where with severity of it depends on extent or frequency of exposure, or (c) harm that doesn't occur until a significant time after exposure to the hazard.</p> <p>(Section 2 Health and Safety in Employment Act 1992)</p>  |
| <b>Supervisor</b>                                  | A person who has the responsibility for persons who work at the site or at part of the site and who supervises the activities undertaken – includes persons who act in such a position.   |
| <b>Unauthorised Visitors</b>                       | A person who enters or attempts to enter farmland without the express permission of the farmer.   |
| <b>Worker<br/>(For the purposes of this guide)</b> | A person who works at the farm. May include, but not limited to employer, employees, workers, contractors, sub-contractors and consultants.   |

\* This definition is subject to subject to [sections 3C to 3F](#) of the Health and Safety in Employment Act 1992

10.2 HAZARD REGISTER

| WORKSITE/LOCATION:     |  | POTENTIAL HARM    | SIGNIFICANT HAZARD? |    | ELIMINATE | ISOLATE | MINIMISE | HAZARD CONTROLS                            | TRAINING OR INFORMATION REQUIRED? | REGULAR CHECKS OF HAZARD CONTROLS IN PLACE |              |              |              |  |
|------------------------|--|-------------------|---------------------|----|-----------|---------|----------|--|-----------------------------------|--|--------------|--------------|--------------|--|
| HAZARDS IDENTIFIED     |  |                   | YES                 | NO |           |         |          |  |                                   | DATE CHECKED                               | DATE CHECKED | DATE CHECKED | DATE CHECKED |  |
| Example: Effluent Pond |  | Children drowning | ✓                   |    |           | ✓       |          | > Fence off<br>> Repair fence when damaged | > Note on farm map                | 10/06/14                                   |              |              |              |  |
|                        |  |                   |                     |    |           |         |          |  |                                   |  |              |              |              |  |
|                        |  |                   |                     |    |           |         |          |  |                                   |  |              |              |              |  |
|                        |  |                   |                     |    |           |         |          |  |                                   |  |              |              |              |  |
|                        |  |                   |                     |    |           |         |          |  |                                   |  |              |              |              |  |
|                        |  |                   |                     |    |           |         |          |  |                                   |  |              |              |              |  |

PHOTOCOPY THIS FORM AND USE ONE FOR EACH WORKSITE OR LOCATION.

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