



## **Mediation and Employment Relations Service**

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By Chas Cini

### **Work Health and Safety and Hours of Work for Outdoor Workers- Horticulture Award 2010.**

#### **Hours of Work**

The Horticulture Award 2010 permits the ordinary hours of work for Employees to be worked without penalty rates if the work is performed between 6:00am and 6:00pm Mondays to Fridays (unless there is written agreement to include Saturdays).

Overtime payments only apply for Employees work more than 152 hours in any consecutive period of four weeks (average 38 hours per week).

Fulltime and part time employees who work fewer than 38 hours in any week may be able to make up the time within the four weeks' cycle.

#### **What does this mean during the forthcoming hot weather?**

You can agree with your employees (Farm and Livestock Hands) to start work at any time earlier than usual so that the employees can finish early and minimise their exposure to the heat and sun.

Safework SA has issued a Safety Alert and offers the following suggestions for outdoor workers who are exposed to the sun and heat to modify workloads, take breaks and hydration for the employees.

#### **“Safework Media Release**

Employers with outdoor work are reminded to take measures to manage the risks associated with heat stress and solar UV radiation as South Australia's summer takes hold with hot weather forecasts.

Employers can minimise the risk of heat-related incidents by modifying workloads and schedules to avoid the hottest times of day, rotating or sharing ‘hot tasks,’ increasing rest and hydration breaks and making sure rest areas in shady or cool areas are available.



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Employers should also provide appropriate protective gear to minimise solar UV radiation exposure. Workers should wear loose-fitting clothing covering their arms and legs, preferably made from a natural fibre and drink cool water at regular breaks to stay hydrated.

### **Background**

Under the *Work Health and Safety Act 2012*, employers are responsible for appropriately managing workplace risks, including working with the risk of heat stress and solar UV radiation exposure.

A 2016 Skin Health Australia Report (Skin & Cancer Foundation) found that 65 percent of workers are not provided with clothing to protect them from the sun.

The four major controls for preventing solar UV radiation exposure are:

1. apply sunscreen
2. wear a hat
3. wear clothes that cover the arms and legs
4. work in the shade.

For more tips on preventing heat-related illness or injury, visit the [SafeWork SA website](#).

### **Quotes attributable to Glenn Farrell, Director, Workplace Education & Business Services**

Working in hot conditions is a seasonal hazard of living in South Australia, and it is important that workers and employers alike are



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alert to the possibilities of heat stress or UV exposure and take preventative measures.

If a worker is experiencing heat stress symptoms such as feeling dizzy, weak, clumsy or disorientated, they should rest in a cool area, loosen clothing and drink cool fluids – water ideally. Soft drinks or energy drinks are not recommended.

It is important that employers and other workers look out for each other, and act immediately if someone appears to be affected. There are easy ways to prevent heat stress, and I encourage all of those working outside on our hot days to take care of themselves by staying hydrated, wearing protective clothing and taking rest breaks in the shade.”

### **Summary**

The Horticulture Award 2010 allows Employees to vary their hours of work to enable, without additional costs such as penalty rates and overtime, if the workers do not work more than 152 hours over four consecutive weeks and, work between 6:00am and 6:00pm Mondays to Fridays (or Saturdays by agreement). This flexibility can result in early starts, earlier finishes or, shorter working weeks during the heat. The shortfall of hours for fulltime and part time employees can be increased in the following weeks in the four weeks’ cycle so there is not a loss in productivity.

Taking reasonable action will also minimise the risk of a workers’ compensation claim for workers effected by the heat.

If you have any queries, please do not hesitate to contact me.

Chas Cini