

Cafe and restaurant industry

What does the law say?

The law that covers health and safety at workplaces in Queensland is called the *Workplace Health and Safety Act 1995*. The aim of this law is to stop anyone from being killed, injured or becoming ill because of a workplace or the work being done. A workplace can be any place that work is done, so it can include a work vehicle or a client's home.

The law says that everyone working or coming into a workplace has a legal responsibility to look after their own health and safety and the health and safety of others at the workplace:

- **People who are conducting a business or undertaking including employers, self employed people and others** must look after the health and safety of themselves, their workers and anyone else who is affected by their business (eg. clients and visitors)
- **Workers** mustn't deliberately put themselves or anyone else in danger and must obey any instructions that their employer gives them about health and safety.

You are legally required to do what the law says, if you don't you are breaking the law and may be charged with an offence.

To fulfil your legal responsibilities you need to consider all the hazards at your workplace and do something to stop people from being hurt by them. In some cases there are regulations that say what you **must** do to manage the risks or codes of practice that say you **should** follow the guidance or manage the risk in another way that is at least as effective as the code of practice. In all cases you must do something to make sure that people aren't in danger.

The Workplace Health and Safety Regulation 1997 and some of the following Workplace Health and Safety Codes of Practice may help with meeting the requirements of the law:

- Risk Management 2000
- Hazardous Substances 2003
- Manual Tasks 2000
- Plant 2005
- Personal protective equipment (PPE) – supplement 1 of Risk Management
- Noise 2004
- Workplace Harassment 2004
- First Aid 2004

Other legislation that may be needed to provide a safe workplace includes:

- Dangerous Goods Safety Management Act and Regulation 2001
- Electrical Safety Act and Regulation 2002.

For more information on general obligations and workplace health and safety issues visit www.dir.qld.gov.au

Disclaimer: Any advice given to you as an obligation holder by Workplace Health and Safety Queensland Small Business Advisors is given only to assist you to discharge your obligations under the Workplace Health and Safety Act 1995 (Qld). Compliance with this advice does not relieve you of your obligations under that Act. Any advice is given on the basis that you will make your own independent assessment of what action is necessary to ensure your compliance with the Act.

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