



## **HEALTH AND SAFETY POLICY**

Foley Wines Limited (“FWL”, “the company”, “the employer”, “the PCBU”) takes its responsibilities very seriously in terms of the health and safety of our workers and those visiting our premises.

This is particularly so because we work in a high risk business involving heavy machinery, chemicals and isolated workplaces. It is important to us that we do all we can to ensure the safety of our employees, contractors, customers and suppliers. However, the company cannot do this alone.

It is vital that every one of us takes health and safety seriously, all day, every day. A failure to do so can impact on our reputation, our profitability, our productivity and, most importantly on the lives and wellbeing of people and their families.

This policy sets out the company’s commitment to a safe workplace and serves as an overriding policy to link the company’s other health and safety information.

This policy applies to all of the company's officers and workers and to other persons at risk from work carried out at FWL's workplaces. Failure to comply with the requirements of this policy may result in disciplinary action.

### **COMPANY RESPONSIBILITIES**

FWL is committed to operating its workplaces in accordance with its obligations under the Health and Safety at Work Act 2015 (and any amending or replacement legislation).

As a PCBU (Person Conducting a Business or Undertaking) our primary duty of care is to ensure, so far as is reasonably practicable, the health and safety of:

- (a) workers who work for the PCBU, while the workers are at work in the business or undertaking; and
- (b) workers whose activities in carrying out work are influenced or directed by the PCBU, while the workers are carrying out the work.

As a PCBU, we must also ensure, so far as is reasonably practicable, that 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.

### **Risk Management**

In connection with its overriding safety obligations, FWL will put in place mechanisms for identifying risks, assessing whether any identified risk is significant and, where the risk is significant, either eliminating or minimising the risk, so far as is reasonably practicable.

In this regard, FWL maintains hazard registers at each site with the risk score calculated and will update these regularly to ensure that any new hazards which emerge or are introduced to the workplace are appropriately managed. If any worker notices anything that presents a risk, which has not been documented, then the risk should be reported immediately to that worker’s manager, the company point of contact for a contractor or to a Health & Safety Representative.

## **Training and supervision**

FWL is responsible for ensuring that workers are provided with information regarding risks that they may be exposed to and risks that they may create in performing their duties. FWL also has an obligation to provide workers with information regarding emergency procedures, which must be followed in the event of any accident or emergency situation. FWL is also responsible for ensuring that its workers are adequately trained and adequately supervised in performing their duties.

In fulfilling these obligations, FWL has an induction training programme that provides workers with initial information and training necessary to ensure that they are able to perform their duties safely. Workers will then be supervised by more experienced workers until the company is comfortable that each worker is able to perform his/her duties safely.

For some workers, induction training will be supplemented with additional training (either internal or external) in respect of specific processes or specific pieces of machinery that those workers will be required to use as part of their duties. Induction training may also be supplemented with additional training at certain times of the year, such as prior to vintage, to ensure that workers are familiar with any additional duties that they may need to perform at this time of year.

Training will be repeated at regular intervals and workers are encouraged (expected) to join the training sessions on offer, or speak with their manager if they consider that they need a refresher on the safety requirements of any aspect of their role.

## **Operating procedures**

FWL has in place operating procedures which provide guidance as to expected behaviour when operating machinery on FWL's sites.

Workers are expected to read, be familiar with and comply with any operating procedures which relate to their duties or to machinery that they work with or around. These procedures can be found in hard copy form in health and safety binders or stations located at each site and on the company's shared computer drive at Y:/All Users/01 Health & Safety.

Vineyard and winery operations also involve the use of a considerable number of chemicals, some of which can be very dangerous if improperly used. Vineyard and winery chemicals are only to be used by authorised persons who have been appropriately trained in their safe use and storage.

FWL has in place materials safety data sheets (MSDs) for the safe use of chemicals as well as specific storage requirements. Personal Protective Equipment (PPE) is also available for those using chemicals and must be worn at all times.

## **Work Groups**

Workers will be split into 'work groups', which will be comprised by taking into account, among other things:

- the number of workers;
- the views of the workers in relation to the determination or variation of work groups and the number of representatives to be elected;
- the number of different places of work for the workers and the distances between those places;
- the number and grouping of workers who carry out the same or similar types of work;
- the nature of the areas or places where each type of work is carried out; and
- the diversity of workers and their work.

## **Young Workers**

Young workers (high school age) do not have the physical ability or skills to do some work, and there are certain types of work that young people must not do, and work areas that young people must not be in.

Workers under 15 years old must not be in areas that involve:

- manufacturing goods
- hazardous substances

Young workers can be in the areas listed above if they are:

- under direct and active supervision that is appropriate for the age and nature of the work
- in retail areas
- in public areas

And they cannot:

- work with machinery
- drive a vehicle, or ride on a vehicle with something attached (e.g. a trailer).
- work between the hours of 10pm and 6am (for workers under 16)

Young workers can do administrative or retail work, they can also do work and tasks suitable for their age, skill and ability.

## **Health and Safety Committee**

FWL has an obligation to provide reasonable opportunities for workers to participate in processes to improve health and safety in their place of work.

In fulfilment of this obligation FWL will include worker representatives on its Health and Safety Committee (**Health and Safety Representatives**). A worker representative from each key area of the business will be included on the committee. The health and safety committee will meet regularly (at least bi-monthly) and will discuss health and safety matters including any raised by any worker between meetings. The health and safety committee will send a report to the Board on health and safety matters on a monthly basis.

Health and Safety Representatives are elected by members of a work group to represent the interests of that work group in matters relating to health and safety. Health and Safety representatives have specific powers under the Health and Safety at Work Act 2015, which they may exercise once they have undertaken approved training (which will be paid for by FWL).

## **WORKER RESPONSIBILITIES**

Please take care while working at FWL. We value our people, and the avoidance of accidents, no matter how small, is very important.

All workers have obligations under the health and safety legislation to take reasonable care for their own safety at work and to take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons.

As such, it is expected that workers will play an active part in ensuring that our workplaces operate safely.

## **Training and supervision**

In particular, workers are required to ensure that they attend and participate in all induction and other more specific on the job training. Workers must then comply with all instructions from managers or supervisors in relation to health and safety issues at work.

Prior to performing any new duties or using any machinery, workers have a responsibility to ensure that they use, and know how to use, equipment safely. If any worker has any doubts as to his/her ability to perform any duty or operate any machinery (for whatever reason), then they should approach their manager or a Health & Safety Representative in the first instance. Workers must ensure that any machinery is operated in accordance with the relevant operating procedures.

Certain machinery and equipment (including tractors, forklifts and firearms) are only able to be operated by authorised personnel and certain areas of our sites are only able to be accessed by authorised personnel. Workers must ensure that they do not operate any equipment without ensuring that they are appropriately authorised to use it and do not access any areas marked “authorised personnel only” without being appropriately authorised.

FWL also has in place specific procedures relating to the safe use of chemicals in the vineyard and winery, which must be adhered to by workers.

## **No reckless or negligent behaviour**

Because we work in safety sensitive areas, it is essential that workers do not (whether intentionally, recklessly or otherwise) interfere with anything put in place to protect their health, safety and welfare.

Workers are expected to comply with this policy and any other company policies (as may be amended from time to time) which affect workplace health and safety. Any failure to comply with these policies and any evidence of foolhardy, reckless or negligent behaviour will be viewed seriously by the company and, if substantiated, may result in disciplinary action, up to and including summary dismissal.

## **Personal Protective Equipment (PPE)**

Workers must ensure that they wear any PPE that is issued to them and that they comply with the company’s requirements in respect of appropriate clothing. In particular, these requirements may include:

- no loose clothing is to be worn (i.e. scarves, loose jerseys or shirts etc.);
- ear protectors (i.e. ear muffs/plugs) must be worn when noise has been identified as a significant risk
- suitable footwear must be worn for the work being done. Where operating machine or undertaking heavy work, protective footwear must be worn;
- during summer, those working outside in the vineyard are required to wear suitable protection from the sun, including a hat. Sun screen is provided and must be used.
- Hi visibility clothing must be worn by all workers and visitors in the vineyard during the growing season. The growing season starts in spring and concludes after harvest. This is to ensure visibility of ground workers during our busiest periods of heavy machinery use while the canopy is high, and vision is restricted.
- Hi visibility clothing must be worn during vintage operations by workers in the following roles: cellar hands, laboratory, winemakers and for employees and visitors entering the work area. This is to ensure visibility with increased forklift and heavy machinery activities.
- Hi visibility clothing is to be worn all year round for all workers in the warehouse and bottling teams and for employees or visitors entering their work areas to ensure visibility to forklift operators.

Workers may be provided with other PPE depending on their duties and they are expected to use/wear any such equipment provided. The use of PPE is a requirement, not a choice.

### **Drugs and alcohol**

It is essential that workers report for work fully fit and capable of safely performing their duties. FWL has in place a drug and alcohol policy that sets out the company's expectations in terms of drug and alcohol use and the company's ability to conduct drug and alcohol testing.

Workers are expected to read and comply with the Drug and Alcohol Policy. Any failure to comply will be viewed seriously by the company and, if substantiated, may result in disciplinary action, up to and including summary dismissal.

### **Reporting**

All workers must immediately report all incidents, accidents or near misses (or any potential health and safety risks), which have caused or could have caused personal injury to either themselves or to another person, to their manager or a H & S Representative.

Workers must comply with any emergency procedures in place at their particular location of work and must ensure that they do not interfere with any accident scene, except as necessary to assist an injured person or to make the site safe or minimise the risk of a further notifiable event occurring.

### **Raising health and safety issues**

Workers are encouraged to raise any health and safety concerns they have or any suggestions that they may have with either their manager or a member of the Health and Safety Committee. FWL is committed to working together with workers to ensure that its workplaces are as safe it can make them and FWL appreciates your assistance in helping it achieve this goal.

## **INCIDENT RESPONSE**

### **Emergency procedures**

FWL has workers who are first aid trained at all of its sites. Lists of the qualified persons are available at each site. First aid kits are also available at each site. Workers who frequently work alone may be provided with a personal first aid kit, which they are expected to take with them when performing their duties.

Workers are expected to be familiar with the emergency procedures for each site that they work at. Emergency procedures are set out in the health and safety manual and at various locations around each site. Workers will be shown the location of these during induction training.

Where any worker seeks medical attention as a result of being injured at work, to ensure that the worker is provided with appropriate support and is able to seek medical help safely and quickly, that worker should be accompanied to the nearest medical practitioner or to the company's nominated medical practitioner by a company manager.

### **Accident recording**

All accidents and near misses must be recorded using the Incident and Near Miss Reporting form found on the FWL Server (Y:\AllUsers\01 Health & Safety\H & S Reporting\Incident forms). The site manager will be responsible for recording accident and incidents. A copy of every incident form is to be sent to the Safety & HR Adviser as soon as it is completed and the manager is to complete the incident injury register (Y:\AllUsers\01 Health & Safety\H & S Reporting\Incident forms\2021). The

incident injury register is restarted each 12 month period and will be found in the following year's folder). The manager and / or Safety & HR Adviser may conduct an investigation into accidents.

### **Accident reporting**

All accidents must be reported immediately to the site manager or relevant supervisor. If any accident is a 'notifiable event' then it must be reported immediately to the Manager – People & Safety and/or CEO to ensure that WorkSafe are notified as soon as possible. Definition of what a notifiable event is can be found in Appendix 1.

Workers who are intending to claim ACC compensation in respect of a "work related" injury must report that injury to their manager.

If a notifiable event occurs, the scene of the accident should be frozen and not interfered with in any way, except as necessary to assist an injured person, to make the site safe, or to minimise the risk of a further notifiable event occurring Unless one of the above exceptions applies, the scene must not be disturbed until authorised by a WorkSafe inspector.

There are substantial fines for interfering with the scene of the notifiable event and therefore the company will view seriously the actions of any worker found to be interfering with the scene of an accident or who deliberately does not report an accident, incident or near miss. Such actions, if substantiated, may result in disciplinary action, up to and including dismissal.

### **REVIEW OF POLICY**

This policy is an evolving document which will be reviewed on a regular basis by the company. The company reserves the right to amend this policy from time to time to ensure that it appropriately reflects the company's commitment to health and safety.

## Appendix 1

# Notifiable Events, Injuries & Incidents

A 'notifiable event' is:

- the death of a person
- a 'notifiable injury or illness', or
- a 'notifiable incident'.

'Notifiable incidents' may relate to any person—whether an employee, contractor or member of the public.

### Notifiable Injuries or illnesses include:

- An injury or illness that requires, or would usually require, admission into a hospital for immediate treatment. Immediate treatment is urgent treatment, and includes treatment by a registered medical practitioner, registered nurse or paramedic.
- An injury or illness that requires, or would usually require, the person to have medical treatment within 48 hours of exposure to a substance (a natural or artificial substance in any form eg solid, liquid, gas or vapour). Medical treatment is considered to be treatment by a registered medical practitioner (eg a doctor)
- Any of the following injuries or illnesses that require the person to have immediate treatment (other than first aid):
  - o the amputation of any part of the body
  - o a serious head injury
  - o a serious eye injury
  - o a serious burn
  - o the separation of skin from an underlying tissue (such as de-gloving or scalping)
  - o a spinal injury
  - o the loss of a bodily function
  - o serious lacerations
- Any serious infection to which the carrying out of work is a significant contributing factor, including any infection that is attributable to carrying out work –
  - o with micro-organisms;
  - o that involves providing treatment or care to a person;
  - o that involves contact with human blood or bodily substances;
  - o that involves handling or contact with animals or animal waste products; or
  - o that involves handling or contact with fish or marine mammals.

### Notifiable Incidents (no injury/near miss)

Some types of work-related dangerous incidents must be notified even if no-one is injured.

WorkSafe must be notified of any incident in relation to a workplace that exposes any person to a serious risk resulting from an immediate or imminent exposure to:

- an uncontrolled escape, spillage or leakage of a substance
- an uncontrolled implosion, explosion or fire
- an uncontrolled escape of gas or steam
- an uncontrolled escape of a pressurised substance
- the fall or release from a height of any plant, substance or thing
- damage to or collapse, overturning, failing or malfunctioning of any plant that is required to be authorised for use under regulations
- the collapse or partial collapse of a structure
- the collapse or failure of an excavation or of any shoring supporting an excavation
- electric shock:
  - examples of electrical shock that are **not** notifiable
    - shock due to static electricity
    - 'extra low voltage' shock (i.e. arising from electrical equipment less than or equal to 50V AC and less than or equal to 120V DC)
    - defibrillators are used deliberately to shock a person for first aid or medical reasons
  - examples of electrical shocks that **are** notifiable
    - minor shock resulting from direct contact with exposed live electrical parts (other than 'extra low voltage') including shock from capacitive discharge

**A dangerous incident includes both immediate serious risks to health or safety, and also a risk from an immediate exposure to a substance which is likely to create a serious risk to health or safety in the future, for example asbestos or hazardous chemicals.**