



**Australian Government**

**Department of Education, Employment and Workplace Relations**

# **BSBOHS301B Apply knowledge of OHS legislation in the workplace**

**Revision Number: 1**

## BSBOHS301B Apply knowledge of OHS legislation in the workplace

### Modification History

Not applicable.

### Unit Descriptor

<b>Unit descriptor</b>	<p>This unit describes the performance outcomes, skills and knowledge required to apply understanding of the occupational health and safety (OHS) legal framework in the workplace. It includes determining relevant legislation and contributing to any actions to ensure compliance with OHS legislation, codes and standards is achieved.</p> <p>No licensing, legislative, regulatory or certification requirements apply to this unit at the time of endorsement.</p>
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### Application of the Unit

<b>Application of the unit</b>	<p>This unit applies to individuals who assist OHS specialists and contribute to compliance with OHS legislation in the workplace.</p>
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### Licensing/Regulatory Information

Not applicable.

### Pre-Requisites

<b>Prerequisite units</b>	

## Employability Skills Information

<b>Employability skills</b>	This unit contains employability skills.
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## Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a unit of competency.	Performance criteria describe the performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the required skills and knowledge section and the range statement. Assessment of performance is to be consistent with the evidence guide.
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## Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. Determine the legal framework of OHS in the workplace	1.1. Identify and access current <b>OHS legislation, codes, standards</b> , policies and procedures impacting on the workplace, occupation and industry 1.2. Apply knowledge of the relationship between OHS legislation, codes, and standards to assist in identifying OHS legal requirements in the workplace 1.3. Identify duty of care arrangements 1.4. Identify legal obligations and duties for consultation with and training of employees, safety representatives and others 1.5. Identify consequences of <b>non-compliance</b> with OHS legislation, codes, standards and workplace policies and procedures
2. Apply knowledge of OHS legislation, policies and procedures in the workplace	2.1. Contribute to monitoring compliance with OHS legislation 2.2. Contribute to ensuring that work is undertaken in a safe manner in accordance with relevant OHS legislation, codes, standards and workplace policies and procedures 2.3. Identify and take <b>appropriate action</b> on non-compliance with OHS legislation, codes, standards, policies and procedures to contribute to achieving compliance 2.4. Recognise limits of own expertise and legal responsibilities, and access appropriate sources of expertise as required
3. Maintain knowledge of OHS legislation, industry and organisational requirements	3.1. Utilise <b>sources</b> to access current information covering applicable legislation and guidelines relating to workplace OHS requirements 3.2. Regularly update and communicate information on workplace OHS legislation, codes, standards, policies and procedures relevant to self and other employees

## Required Skills and Knowledge

### REQUIRED SKILLS AND KNOWLEDGE

This section describes the skills and knowledge required for this unit.

#### Required skills

- communication and interpersonal skills to contribute effectively to formal and informal OHS meetings
- literacy skills to prepare simple documents such as summary reports and memos for a range of target groups including OHS committee, OHS representatives, managers, supervisors.

#### Required knowledge

- obligations, rights and requirements under relevant OHS legislation and common law as it applies to those involved in OHS
- relevant state/territory and commonwealth OHS legislation, codes of practice and standards
- research and data collection methods to obtain evidence of compliance with OHS legislation.

## Evidence Guide

<b>EVIDENCE GUIDE</b>	
<p>The Evidence Guide provides advice on assessment and must be read in conjunction with the performance criteria, required skills and knowledge, range statement and the Assessment Guidelines for the Training Package.</p>	
<b>Overview of assessment</b>	
<b>Critical aspects for assessment and evidence required to demonstrate competency in this unit</b>	<p>Evidence of the following is essential:</p> <ul style="list-style-type: none"> <li>• identification and application of the OHS legal and regulatory framework applicable to the candidate's workplace, occupation and industry</li> <li>• knowledge of relevant state/territory and commonwealth OHS legislation, codes of practice and standards.</li> </ul>
<b>Context of and specific resources for assessment</b>	<p>Assessment must ensure:</p> <ul style="list-style-type: none"> <li>• access to relevant information and documentation on compliance requirements such as: <ul style="list-style-type: none"> <li>• organisational policies, standard operating procedures, procedures and plans</li> <li>• relevant legislation, regulations, licensing requirements, codes of practice, standards</li> </ul> </li> <li>• access to relevant internal and external data files</li> <li>• access to appropriate office equipment and resources used in the identification and rectification of OHS compliance breaches.</li> </ul>
<b>Method of assessment</b>	<p>A range of assessment methods should be used to assess practical skills and knowledge. The following examples are appropriate for this unit:</p> <ul style="list-style-type: none"> <li>• direct questioning combined with review of portfolios of evidence and third party reports of on-the-job performance by the candidate</li> <li>• review of documents on workplace OHS legislation, codes, standards, policies and procedures relevant developed and communicated to employees</li> <li>• analysis of responses to case studies and scenarios</li> <li>• demonstration of the application of OHS legislation in conducting work safely</li> <li>• oral or written questioning to assess knowledge of research and data collection methods to obtain evidence of compliance with OHS legislation</li> <li>• assessment of duty of care arrangements.</li> </ul>

**EVIDENCE GUIDE****Guidance information for assessment**

Holistic assessment with other units relevant to the industry sector, workplace and job role is recommended, for example:

- other OHS units.

## Range Statement

### RANGE STATEMENT

The range statement relates to the unit of competency as a whole. It allows for different work environments and situations that may affect performance. Bold italicised wording, if used in the performance criteria, is detailed below. Essential operating conditions that may be present with training and assessment (depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts) may also be included.

<p><b><i>OHS legislation</i></b> may include:</p>	<ul style="list-style-type: none"> <li>• legislation relevant to the workplace, occupation and industry, for example, mining safety, electrical legislation</li> <li>• relevant commonwealth and state/territory OHS specific acts and regulations such as:             <ul style="list-style-type: none"> <li>• common law</li> <li>• contract law</li> <li>• criminal law</li> <li>• dangerous goods</li> <li>• environmental protection</li> <li>• equal opportunity and anti-discrimination law</li> <li>• industrial relations law</li> <li>• privacy</li> <li>• workers compensation</li> </ul> </li> </ul>
<p><b><i>OHS codes</i></b> may include:</p>	<ul style="list-style-type: none"> <li>• codes of practice, developed by legislators or industries that give practical advice on how to comply with legal obligations</li> </ul>
<p><b><i>OHS standards</i></b> may include:</p>	<ul style="list-style-type: none"> <li>• Australian Standards</li> <li>• codes of practice</li> <li>• exposure standards</li> <li>• guidance notes</li> <li>• industry standards</li> <li>• international standards</li> <li>• national standards developed by the Office of the Australian Safety and Compensation Council</li> <li>• regulations and standards developed by OHS regulators</li> </ul>
<p><b><i>Non-compliance</i></b> with OHS legislation, codes, standards, and workplace policies and procedures may include:</p>	<ul style="list-style-type: none"> <li>• inadequate systems of information, instruction training or supervision</li> <li>• plant equipment or substances not maintained, or used or stored in an unsafe condition</li> </ul>



<b>RANGE STATEMENT</b>	
	<ul style="list-style-type: none"> <li>• poor consultative practices</li> <li>• poor design</li> <li>• workplace hazards not identified or controlled</li> <li>• workplace systems not in place or inadequate</li> </ul>
<i>Appropriate actions</i> may include:	<ul style="list-style-type: none"> <li>• contributing to an OHS audit</li> <li>• contributing to an OHS inspection</li> <li>• contributing to engaging external specialists and consultants</li> <li>• contributing to the identification of non-compliance with OHS legislation in the workplace</li> <li>• contributing to the implementation, monitoring and evaluation of actions to ensure OHS compliance</li> <li>• making recommendations about how compliance with OHS legislation could be achieved</li> <li>• reporting breaches of compliance to responsible persons or authorities</li> <li>• where required, carrying out notes or functions specified in legislation or workplace policies and procedures</li> </ul>
<i>Sources</i> may include:	<ul style="list-style-type: none"> <li>• audits</li> <li>• employer groups</li> <li>• hazard, incident and investigation reports</li> <li>• industry bodies</li> <li>• manufacturers' manuals and specifications</li> <li>• OHS professional bodies</li> <li>• OHS specialists</li> <li>• regulatory authorities</li> <li>• standards, from Australia or overseas</li> <li>• training, information sessions and forums</li> <li>• unions</li> <li>• websites, journals and newsletters</li> </ul>

## Unit Sector(s)

<b>Unit sector</b>	
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## Competency field

<b>Competency field</b>	Regulation, Licensing and Risk - Occupational Health and Safety
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## Co-requisite units

<b>Co-requisite units</b>		