Keeping your remote and isolated workers safe

Meeting your health and safety obligations.

pivotel. mobile everywhere®

Baker McKenzie.

Keeping your remote and isolated workers safe

This paper has been prepared for the purposes of providing general guidance only. It cannot be relied on as legal advice. You should seek legal advice specific to your circumstances in relation to the issues raised by this paper.

The purpose of this guide is to raise awareness among persons conducting business, safety practitioners, managers and supervisors of the legal obligations for hazards that exist for people required to work remotely or in isolation.

Over the last few years a number of remote workers across Australia and New Zealand have suffered misfortune when they were not adequately protected.

Cases such as the 2012 Western Australian Coroner's Inquest into the death of truck driver Anthony Bradanovich and the prosecution of MAXNetwork Pty Ltd for breaches in relation to two remote workers illustrate the risks that businesses face in keeping their remote workers out of harm's way.

From a legal perspective, the legislation mandating remote worker safety can be confusing for businesses to interpret and there are some misconceptions surrounding employer obligations.

The legislation is more complicated for companies managing a remote workforce across different states and territories in Australia and New Zealand because each jurisdiction has a different legal and regulatory framework.

Failure to comply with the remote worker obligations can result in substantial fines being imposed on businesses and individuals. Individuals can even be sent to prison for reckless breaches of work health and safety obligations.

This guide provides an overview of the regulatory framework in each state and territory, the risks that companies face for not complying with legislation and the penalties that can be imposed.

It also presents examples of how technology can enable organisations to protect their workforce, particularly when the use of satellite communication becomes embedded in remote workforce management and workplace culture.

Conducting business in remote and isolated locations

The obligation for effective communication applies to all workplaces and working environments at all times, including:

1. **Lone Work**
(all work performed remotely or in isolated places)

2. **Working From Home**

3. **Travelling**
(including in and out of mobile coverage)

What is a "workplace"?

A workplace is any place where work is carried out for a business or undertaking, including any place where a worker goes, or is likely to be, while at work:

- Building or structure at a site
- Place at a site where work is performed
- Road or remote area where work is performed
- Home office, hotel, mining camp, remote community where work is performed
- Machine or equipment on which work is performed

A Person Conducting a Business or Undertaking (PCBU) must implement reasonably practicable measures to eliminate hazards and risks.

What is "reasonably practicable"?

An employer or person conducting a business or undertaking (PCBU) must determine what measures are reasonably practicable to eliminate hazards and risks having regard to:

- Likelihood of hazards or risks eventuating
- Degree of harm that would result
- What is known (or ought to be known) about hazards and risks
- Availability and suitability of ways of eliminating or reducing hazards and risks
- Costs

The potential cost burden of these measures is not the only consideration and cannot be used as the sole factor to evaluate implementation. To make a determination on the factors above, an employer or PCBU must therefore consider and weigh the cost and convenience of implementing the measures with the danger that the risks and hazards present.

Consequences of Breach

1. WHS Legislation Penalties (page 8) including for reckless conduct
Reckless conduct is deemed to be conduct that is performed with intention, knowledge or reckless disregard of serious risk. Under Work Health and Safety (WHS) legislation, breaches for reckless conduct (that is, conduct performed with intention, knowledge or reckless disregard of serious risk) attract severe penalties.

2. Common Law Damages
A breach of the common law duties, such as the duty to implement and maintain safe systems of work for employees and other persons, will carry with it a right to claim civil damages by those who have suffered harm or loss.

3. Industrial Manslaughter Prosecution
Queensland, Australian Capital Territory, Northern Territory and Victoria each provide for the specific criminal offence of industrial manslaughter, which carries significant penalties. Under the industrial manslaughter laws, a company or individual will be liable for an offence if it negligently (or, in some jurisdictions, recklessly) causes the death of an employee (or, in some jurisdictions, another person such as a member of the public).

What is remote work?

Remote or isolated work is work that is isolated from the assistance of other people because of the location, time or nature of the work being done. [1]

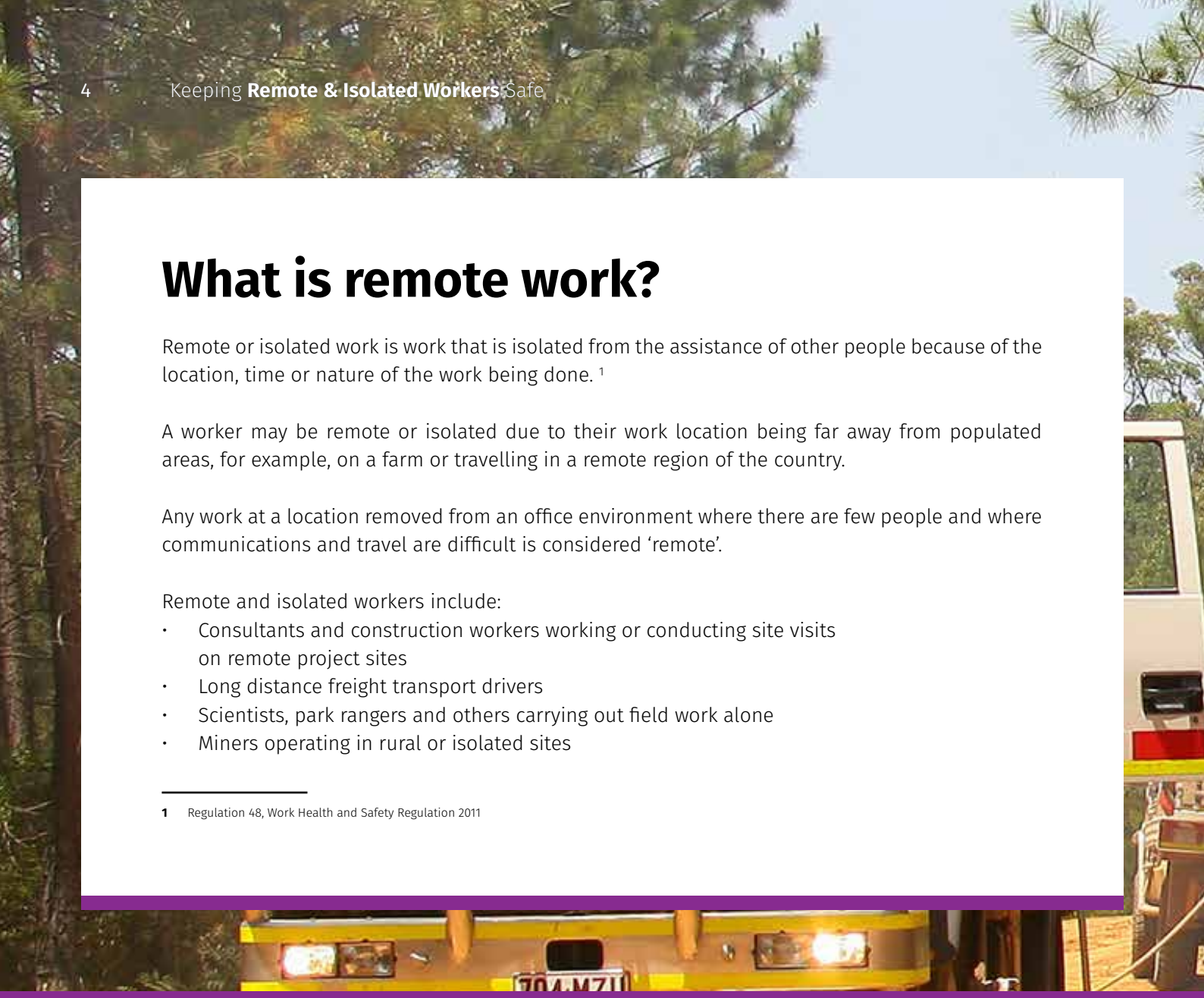
A worker may be remote or isolated due to their work location being far away from populated areas, for example, on a farm or travelling in a remote region of the country.

Any work at a location removed from an office environment where there are few people and where communications and travel are difficult is considered 'remote'.

Remote and isolated workers include:

- Consultants and construction workers working or conducting site visits on remote project sites
- Long distance freight transport drivers
- Scientists, park rangers and others carrying out field work alone
- Miners operating in rural or isolated sites

1 Regulation 48, Work Health and Safety Regulation 2011



The Lone Worker Risk

Remote and isolated workers in Australia and New Zealand are exposed to a range of hazards and risks to their health and safety:

Limited Communications
Remote and isolated workers have limited access to emergency assistance, which can result in them facing more serious consequences when an incident occurs.

Limited Supervision
When working remotely, workers have limited supervision and direction in the performance of their duties, which exposes them to more risk.

Isolation
Their isolation from other people and the nature of their work can expose them to violence from clients or customers (for example, service station attendants who work late at night are at a greater risk of being exposed to violence).

Loneliness
Workers are at greater risk of suffering diminished mental health and loneliness when isolated and removed from contact with other people.

Work Health and Safety Obligations

Under Australian and New Zealand work health and safety legislation, a person conducting a business or undertaking has a general obligation to ensure, so far as is reasonably practicable, that the health and safety of workers while at work, and the health and safety of other persons, is not put at risk by work carried out.

Work Health and Safety Regulation 48: Remote or Isolated Work:

1. A person conducting a business or undertaking must manage the risks associated with remote or isolated work.

2. In minimising risks to the health and safety of workers associated with remote or isolated work, a person conducting a business or undertaking must provide a system of work that includes effective communication with the worker.

Remote or isolated work... means work that is isolated from the assistance of other persons because of location, time or the nature of the work.

Assistance includes rescue, medical assistance and the attendance of emergency service workers.

A person conducting a business must take all reasonably practicable steps to ensure workers' health and safety.

Including steps to...

Identify Hazards

Identify reasonably foreseeable hazards which may give rise to risks to the health and safety of workers and other persons.

Assess Risks

Assess risks to the health and safety of workers and other persons and identify control measures available to eliminate or minimise risks.

Implement Measures

Implement control measures to eliminate or minimise risks to the health and safety of workers and other persons, so far as reasonably practicable.

To comply with the obligations under WHS legislation, a person conducting a business is required to, so far as is reasonably practicable, eliminate or minimise the risks and dangers faced by remote and isolated workers.

Common Law

- Each person has a duty to take reasonable steps to avoid causing harm to other persons
- An employer or a person conducting a business or undertaking (PCBU) has a duty to implement and maintain safe systems of work for employees and other persons
- An employer or person conducting a business must take reasonable care to avoid exposing employees and workers to reasonably foreseeable risks of injury

WHS Legislation - Managing the work environment and facilities

Queensland, Australian Capital Territory, South Australia, Northern Territory, Tasmania and New South Wales
Regulations expressly require a PCBU to manage the risks associated with remote and isolated work, including ensuring effective communication with workers. The regulations impose specific penalties ($6,000) if this obligation is breached, in addition to penalties for breach of the general obligation. In addition, the Code of Practice (2011) specifies a minimum standard for managing risks associated with remote or isolated work, including through the use of:

- Personal security systems
- Distress beacons
- Satellite communication systems
- Appropriate training and instruction
- Radio communication systems
- Movement records

In addition to the general obligations, various states and regions have more specific requirements around the need to provide communication to remote workers.

Victoria
The Victoria Workplace Amenities and Work Environment Compliance Code (2008) covers mobile, temporary, and remote work. The code states that 'In an emergency, mobile and remote employees also need to be able to access a means of communicating that is reliable in their location, such as a satellite or mobile phone' (110). The Occupational Health and Safety Regulations 2017 (VIC) also impose a specific requirement for operators to provide an effective means of communication for anyone working alone at an isolated location at a mine.

Western Australia
The Occupational Safety and Health Regulations 1996 (3.3.) state that:
If an employee is isolated from other persons because of the time, location, or nature of the work then the employer must ensure that —
(a) there is a means of communication available which will enable the employee to call for help in the event of an emergency; and
(b) there is a procedure for regular contact to be made with the employee and the employee is trained in the procedure.

New Zealand
The Health and Safety at Work (General Risk and Workplace Management) Regulations 2016 state that the PCBU must provide a system of work that includes effective communication with workers. What constitutes an effective communication system will also depend on the sorts of risks faced by the worker (and may need to include panic systems). A communication system that has gaps in coverage or cannot be used in an emergency is unlikely to be effective.

Each state, territory or country is governed by specific legislation. Refer to Appendix A on page 21 for more information.
The legislation in each jurisdiction imposes a general obligation on PCBUs to ensure, so far as is reasonably practicable, the health and safety of works. Most jurisdictions clarify that remote or isolated work poses a hazard to mental health and that work health and safety obligations cover mental health. The lack of real interpersonal conversation can have an impact on mental health. Feelings of isolation can be mitigated through the use of technology such as video-conferencing. Employers can also hire employees with traits that may help with remote or isolated work, such as resilience

Employers and PCBUs are required, under work health and safety laws, to eliminate or minimise risks faced by workers. Many of the risks faced by remote or isolated workers arise, or become more serious, if the workers cannot contact their employer or emergency services for assistance. A key measure for eliminating or minimising risks faced by these workers is to ensure effective communication with the workers.

Effective communication depends upon the specific circumstances of each worker, but includes:

- Confirming communication coverage in the area in which the workers will conduct work, including during any travel that the workers may undertake in a remote location.
- Providing workers with an alternative form of communication if mobile phone coverage or ordinary communication will be unreliable or ineffective.
- Utilising GPS location devices to ensure that the PCBU can monitor the workers' location and status.
- Ensuring there are systems and processes in place which will maintain the effectiveness of communication systems, such as:
    - Providing appropriate training for workers;
    - Providing spare parts and spare batteries for devices; and
    - Regularly assessing and updating communication equipment so that it remains effective.

Work Health and Safety obligations require risks to be eliminated or minimised so far as is reasonably practicable. As communications technology advances and reduces in cost, it is reasonably practicable to provide workers with more advanced and sophisticated equipment.

Effective communication should be reliable, accessible and available.

Implications for Breaching Health and Safety Legislation

Substantial penalties are imposed for breaches of work health and safety legislation in all Australian and New Zealand jurisdictions. The maximum penalties for offences vary depending upon whether a person has engaged in reckless conduct and whether the person has committed previous offences.

In New South Wales, Queensland, South Australia, Tasmania, the Northern Territory and the Australian Capital Territory, the maximum penalty for a breach of the legislation involving reckless conduct is a fine of up to $3 million for a corporation or a fine of $600,000 and five years imprisonment for an individual officer. Other breaches can result in a maximum penalty of $1.5 million for a corporation or $300,000 for an individual officer.

In Victoria, a breach involving recklessness is an offence for which a maximum penalty of 20,000 penalty units (currently $3,304,400) can be imposed on a corporation, or 1,800 penalty units (currently $297,396) or five years prison for an individual. Other breaches can result in a maximum penalty of 9,000 penalty units (currently $1,486,980) for a corporation or 1,800 penalty units for an individual (currently $297,396).

In Western Australia, a breach of the work health and safety legislation due to gross negligence which causes death or serious harm can result in a maximum penalty of $3.5 million for a company or $680,000 and five years prison for an individual. Other breaches can result in a maximum penalty of $2.5 million for a company or $500,000 for an individual.

In New Zealand, a breach involving recklessness can result in a fine of up to $3 million for a PCBU, five years imprisonment or a $600,000 fine (or both) for an officer of a PCBU or an individual who is a PCBU, and five years imprisonment or a $300,000 fine (or both) for an individual. Other breaches can result in a maximum penalty of a $1.5 million fine for an organisation or a $300,000 fine for an officer or individual PCBU.

As risks associated with remote or isolated work are specifically listed as risks that must be managed in most Australian jurisdictions, an employer or person conducting a business who fails to eliminate or minimise such risks, will breach work health and safety obligations and may be prosecuted for an offence.

Key national work health and safety statistics (2019)

[2] Key work health and safety statistics Australia 2019, Safe Work Australia

144 Fatalities
Annual Australian total.

37 Fatalities
Annually across agriculture, forestry and fishing industries.

107,355
Australian serious claims made each year.

$61.8B
Estimated cost to economy annually for work-related injuries and diseases.

Case Studies

The examples provided below demonstrate how Australian and New Zealand businesses have in some situations failed to comply with their work health and safety obligations in respect of remote and isolated workers.

Coroner's inquest into the death of Anthony Bradanovich (WA)

Mr Bradanovich was a sub-contracted truck driver delivering goods to a mine site in Western Australia.

Mr Bradanovich missed the turnoff for the site and the vehicle became bogged. Mr Bradanovich was found dead 30 km from his vehicle due to heat stroke. A Western Australian coroner made the following recommendations:

- Workers travelling outside a metropolitan area should be provided with a personal locator beacon which can provide a GPS location;
- A record should be kept of the worker's expected time of arrival so that emergency services can be notified in a timely matter if no contact is made with the worker; and
- An employer's policies should account for communication difficulties which are experienced outside metropolitan areas so that workers are able to gain assistance when required, no matter where they are located.

[3] Coroner's Inquest into the death of Anthony John Bradanovich (2012)

Prosecution of MAXNetwork Pty Ltd

MAXNetwork instructed two consultants to drive 600 km from Kalgoorlie to a remote community.

The satellite phone that the workers were given did not work and a tracking device fitted to the vehicle was not turned on. The workers got lost and were unable to contact MAXNetwork.

As there was no defined travel schedule and the workers had no means of communication, MAXNetwork was unaware the workers were lost.

After 23 hours of continuous driving, the workers found a public telephone and were able to find their way to the community safely.

Despite the workers arriving safely, MAXNetwork was prosecuted for breaches of OHS legislation.

MAXNetwork pleaded guilty to the breaches of the *Occupational Health and Safety Act 1984* (WA) and was fined $50,000.

[4] Magistrates Court of Western Australia - 15 August 2012

Tragic death of remote nurse Gayle Woodford (SA)

The safety of remote area Nurses was highlighted as a critical issue by the terrible death of Gayle Woodford, an on-call nurse who was raped and murdered in the outback town of Fregon, in the north-west corner of SA in 2016.

Queensland Health convened a task force to tackle the problem of occupational violence, surveyed staff and identified the need for better communication systems to improve safety.

Reliable communication at all times was identified as a clear need to improve staff safety.

The Occupational Violence Implementation Committee was tasked with implementing the recommendations from the taskforce and identified the benefits of running a small trial of the satellite communications devices to see if they held a place in helping to prevent a similar incident that tragically cost Gayle Woodford her life.

Staying connected during Australian bushfires

The recent bushfire crisis has taught us many things about the nation's ability to respond when natural disasters strike.

While fires have devastated homes and towns, in many cases they've also blocked access to information and disabled vital communication networks, exacerbating the challenges in which many Australians find themselves.

With more than 72,000 volunteer firefighters in New South Wales alone, the recent disaster shone a light on the complications of keeping firefighters safe and connected during critical times.

The communication equipment provided to volunteers are often old and under resourced and although bushfire agencies can keep track of their trucks and assets, the location of individuals risking their lives on the front-line is not usually monitored.

Keeping in touch during the COVID-19 pandemic where workers have been forced into 'isolation'

The global outbreak of the novel coronavirus COVID-19 has led Australia's Federal, State and Territory Governments to implement quarantine and "social distancing" measures in an effort to limit or slow the spread of the disease.

"Social distancing" involves restricting close proximity with others as a way to minimise the risk of infection of COVID-19 from people who are currently contagious, but may be unaware that they carry the disease. Millions of Australian workers have been asked by their employers or PCBUs to work from home in an effort to implement social distancing, therefore reducing direct daily contact with one another.

Workers who are working from home are isolated from others in their workplace and may have limited contact with their colleagues and supervisors. Employers and PCBUs must ensure that they maintain effective communication with their workers during this time to eliminate or minimise the risks that may arise from isolated work or loneliness.

The impact of COVID-19 in numbers

[3] Gartner HR Survey - March 2020. [4] World Economic Forum - March 2020. [5] VHA Australia March 2020

88% of organisations globally have requested employees work from home.[3]

Internet traffic in most developed countries has increased by **50-70%**[4]

40% of organisations have set up virtual check-ins for employees.[3]

Mobile data usage in Australia increased by **53%**[5]

How employers can manage risks

Regulations in most States and Territories impose specific obligations on an employer or PCBU to manage risks to the health and safety of workers associated with remote or isolated work.

Four ways to eliminate or minimise risk for lone-workers:*

1. **Eliminate or reduce need for isolated work**
2. **Know where your workers are at all times using check-ins and provide them with communications**
3. **Embed satellite communications in the workplace and ensure there is maintenance and testing in place**
4. **Plan for natural disasters or communications outages**

*This is not an exclusive list.

1. Eliminate or reduce the need for isolated work

Using IoT and asset monitoring solutions on rural and remote assets can help workers avoid or minimise the time they spend isolated or uncontactable. These solutions give employers visibility over their workers and assets, providing information about their status and real-time location.

Case Studies

Farmbot

PROBLEM: Having access to data in near real-time gives farmers peace of mind. However reliable cellular connectivity in the bush is unavailable, so workers are sent via vehicles or helicopters to visit remote sites.

SOLUTION: Farmbot, enabled by Pivotel's satellite technology, delivers water monitoring data and insights to farmers in near real-time. Innovative technology saves individual farmers up to 200 hours every year, as well as fuel and running costs.

IOR Petroleum

PROBLEM: IOR Petroleum identified a need for better monitoring and communications for their fixed and moveable assets in remote locations where limited, or no, terrestrial communication links are available.

SOLUTION: An integrated system of mobile satellite devices to support IOR's remotely located assets. The system solved existing OHS issues, showed cost reductions, increased safety for workers and increased company productivity and efficiency.

Conservation Department

PROBLEM: A conservation department has a large remote workforce across rugged terrain and mountainous geography. OH&S requirements demand that workers have reliable communication at all times but traditional satellite phone services were proving expensive.

SOLUTION: 150 inReach satellite devices, monitored through Pivotel's Tracertrak portal with real-time location data for all field staff.

> "We operate a network of diesel stops, both manned and unmanned, from Katherine to Ballarat, so the satellite IoT services supplied by Pivotel are absolutely critical for the daily operation of our business." - **Drew Leishman, Head of Operations, IOR Petroleum**

2. Know where your workers are at all times and provide them with a means for effective communication

Handheld devices help employers stay connected with their employees and contractors. While remote workers are vulnerable due to their location and limited communication options, isolated workers within cellular coverage (i.e. working from home) remain vulnerable to accidents and emergency events which may render them immobile.

There is a range of readily available handheld connected solutions, both satellite devices and smartphone applications, that can provide employers with critical information such as scheduled check-in information, missed check-ins, voice and text communications, location information, as well as the ability to send an SOS in an emergency situation. These solutions help employers meet WHS obligations and give workers and their families peace of mind that a line of communication exists, should they need it.

Case Studies

DDH1 Drilling

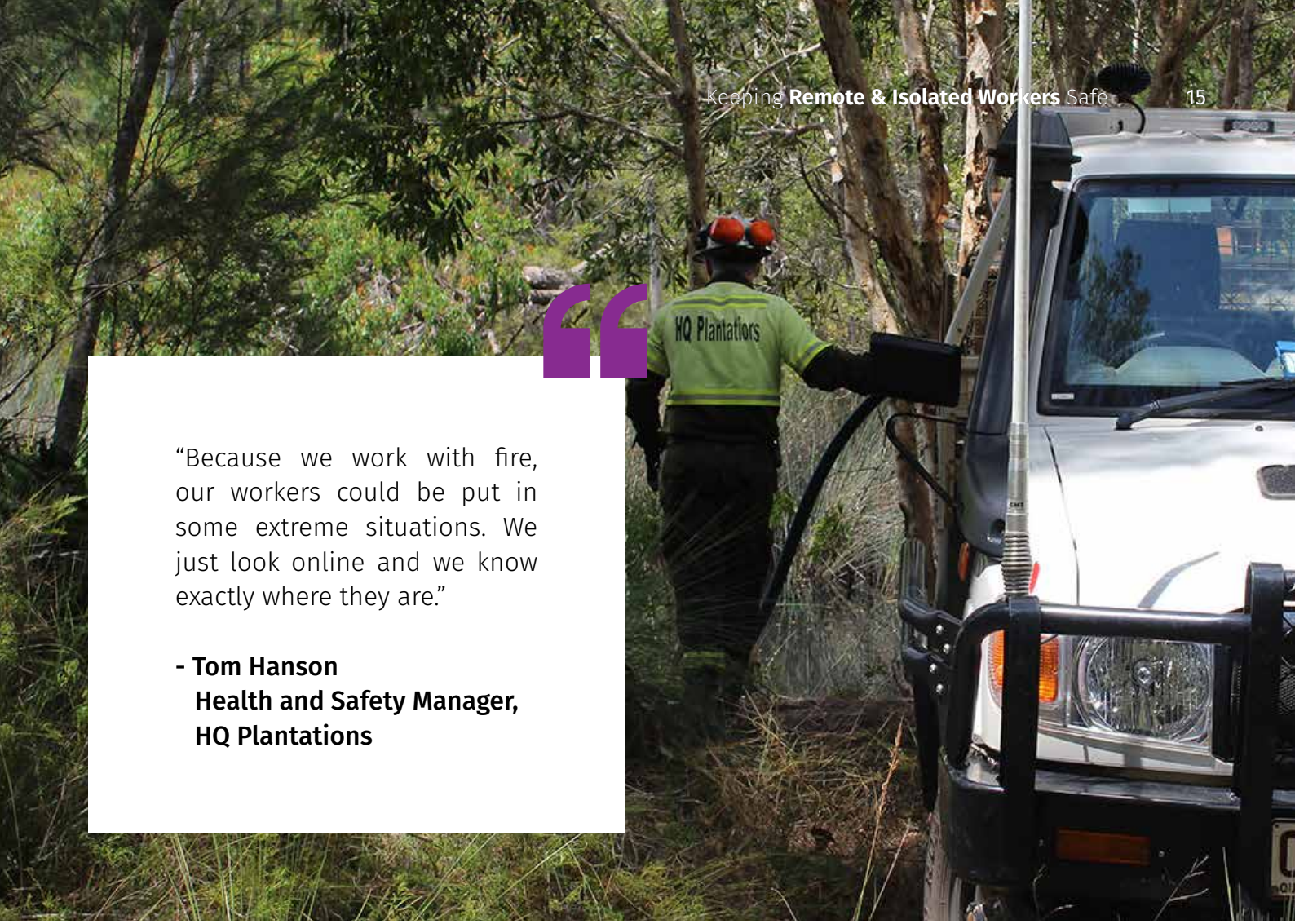
PROBLEM: The team at DDH1 Drilling required a way to monitor movements of all staff and assets on drilling rigs at a glance. Remote workers needed a system that would allow them to reach out for assistance with ease when required.

SOLUTION: A complete communications system comprising SPOT Gen3 satellite messaging devices and the Tracertrak management portal system, complemented by handheld satellite phones.

Komatsu

PROBLEM: Komatsu, supplier and servicer of mining and earthmoving equipment, required a communication system that would enable contact between remote workers and local branches, provide the ability to reach out for support in the event of an emergency and streamline branch operations by creating a central touch-point for all remote workers.

SOLUTION: Hand-held SPOT Gen3 satellite messaging devices and Tracertrak management portal, providing a comprehensive worker safety management solution for Komatsu's remote workers.



> "Because we work with fire, our workers could be put in some extreme situations. We just look online and we know exactly where they are."
>
> **- Tom Hanson**
> **Health and Safety Manager,**
> **HQ Plantations**

Queensland Health

PROBLEM: Remote area nurses were driving long distances without GSM coverage, putting themselves at risk of occupational violence without reliable means of communication.

SOLUTION: Pivotel provided a range of satellite devices (SPOT Gen 3 messengers, inReach messengers and SatSleeve's to convert mobile phones to satellite devices) and implemented the Tracertrak portal to monitor remote nurses at all times, no matter what their location.

HQ Plantations

PROBLEM: HQ Plantations needed to monitor a large forestry workforce of up to 900 workers that operate across broad areas of forest throughout Queensland to meet OH&S obligations without tying up staff with manual monitoring.

SOLUTION: An integrated system of mobile satellite devices, the Tracertrak portal, check-in protocols and staff training - a simple, cost-effective solution that offers an instant overview of staff locations and movements, all in one portal, freeing up staff for more productive tasks.

3. Embed satellite communication in the workplace and ensure there is maintenance and testing in place

Working alone or remotely increases the risk of any job. Isolation, poor access to emergency assistance and exposure to violence are the largest hazards that increase the risk of working remotely.

Safety and support for remote workers is paramount as they are one of the most vulnerable occupational groups in Australia and New Zealand.

It is up to employers, persons conducting business and company officers to ensure the right technology is put in place to guarantee no remote worker feels like his or her safety is compromised by completing their work.

Embedding satellite communications into the remote workforce is a real option for coverage and communication across Australia and New Zealand.

Satellite technology can compensate for the unavailability of normal radio and mobile coverage in regional, rural and remote locations and allow for communication such as emergency alerts, signal for help, 24-7 monitoring, coordinating emergency services, check-ins before and after appointments, automatic monitoring of scheduled check-ins and alerts in the event a check-in hasn't occurred.

Not only can this technology be life saving for remote workers, but it can also ensure managers are fulfilling their health and safety obligations under the relevant legislation.

Employers should ensure annual maintenance checks are put in place to ensure devices work when needed.

There are satellite devices to suit all budgets and address all risks.

Satellite technology is a real option for coverage and communication across Australia and New Zealand.

68% of Australia's land area does not have mobile phone coverage

Leaving 5.29 million km^2 unconnected.[6]

[6] Figures calculated using Telstra's coverage compared to Australia's size in square kilometres, being 7.69 million square kilometres. https://www.telstra.com.au/aboutus/community-environment/community-programs/rural-regional

4. Plan for natural disasters or communications outages

Outages due to natural disasters or network congestion, poor connectivity and a lack of communication options are a regular problem for Australian and New Zealand businesses operating in both metropolitan and rural areas, again putting workers at risk.

Satellite communications provide a reliable option for those that need an alternative connectivity solution when outages occur and affect business productivity, safety and output.

Employers can use satellite solutions like nbn™ BSS or GX/BGAN as primary or back-up communication solutions for fixed sites that may experience outages. Handheld satellite devices like satellite phones and personal communication devices help organisations to remain connected with staff wherever they are and in the event of a network outage, or worse still, a natural event unfolding (e.g. fire or flood).

Case Studies

Civil Defence

PROBLEM: Effective telecommunications need to be maintained at all times when infrastructure and regular communication channels may be severely compromised by earthquakes or other disasters.

SOLUTION: A layered communications system developed to cater for any eventuality, made up of VHF radio networks, satellite phones and BGAN (Broadband Global Area Network) satellite terminals.

> Satellite is one of those layers we have, knowing that it can still work out in eventuality. Satellites don't fall out of the sky, so we can rely on satellites. - **Andrew Howe, Emergency Management Coordinator, Canterbury Regional Emergency Management Office**

Main Roads Western Australia

PROBLEM: Main Roads WA was constructing a sealed road to link the inland town of Tom Price with the coastal hub of Karratha. Providing a reliable Internet service and communications system during construction in an extremely remote location during extreme weather conditions was essential to the safety and efficiency of the entire construction process.

SOLUTION: Install a **nbn**™ Business Satellite Service using Pivotel's VSAT technology. For main roads, this experience has proven you can still stay connected, even at a remote location and while experiencing extreme weather.

A Mining Company

PROBLEM: A mining company operates a mine in the Great Sandy Desert with a FIFO workforce and the exploration site is some distance to the main mine. The exploration site had little means of communication to maintain effective operations.

SOLUTION: Commission and install a **nbn**™ business Satellite Service at a remote location in a tight time frame, working closely with the mines IT department which enabled workers to access systems for communications.

Adaman Resources

PROBLEM: Adaman Resources' 100 FIFO staff required connectivity to enable them to communicate and access data at a reasonable cost to their employer.

SOLUTION: Fixed satellite Internet service with large data allowances is now provided for workers at the remote location in central West Australia.

Workplace health and safety issues among community nurses

A study conducted of 15 nurses working in rural and remote communities found that working in isolation and being vulnerable was a consistent theme among the participants, with nurses reporting that they were concerned for their safety and losing communication with administration staff.

"[A] big problem is communication. When you use a mobile phone... it probably will not work. There is usually no signal and that is big a problem." - (Nurse, 47 years old)

[Describing work in a remote part of Tasmania] "[A]nything could have happened and no one would have known until the end of the day...I was completely vulnerable."
- (Nurse, 49 years old)

[4]Terry D, Lê Q, Nguyen U, et al. Workplace health and safety issues among community nurses: a study regarding the impact on providing care to rural consumers. BMJ Open 2015;5:e008306. doi:10.1136/bmjopen-2015- 008306

Are your remote and isolated workers safe?

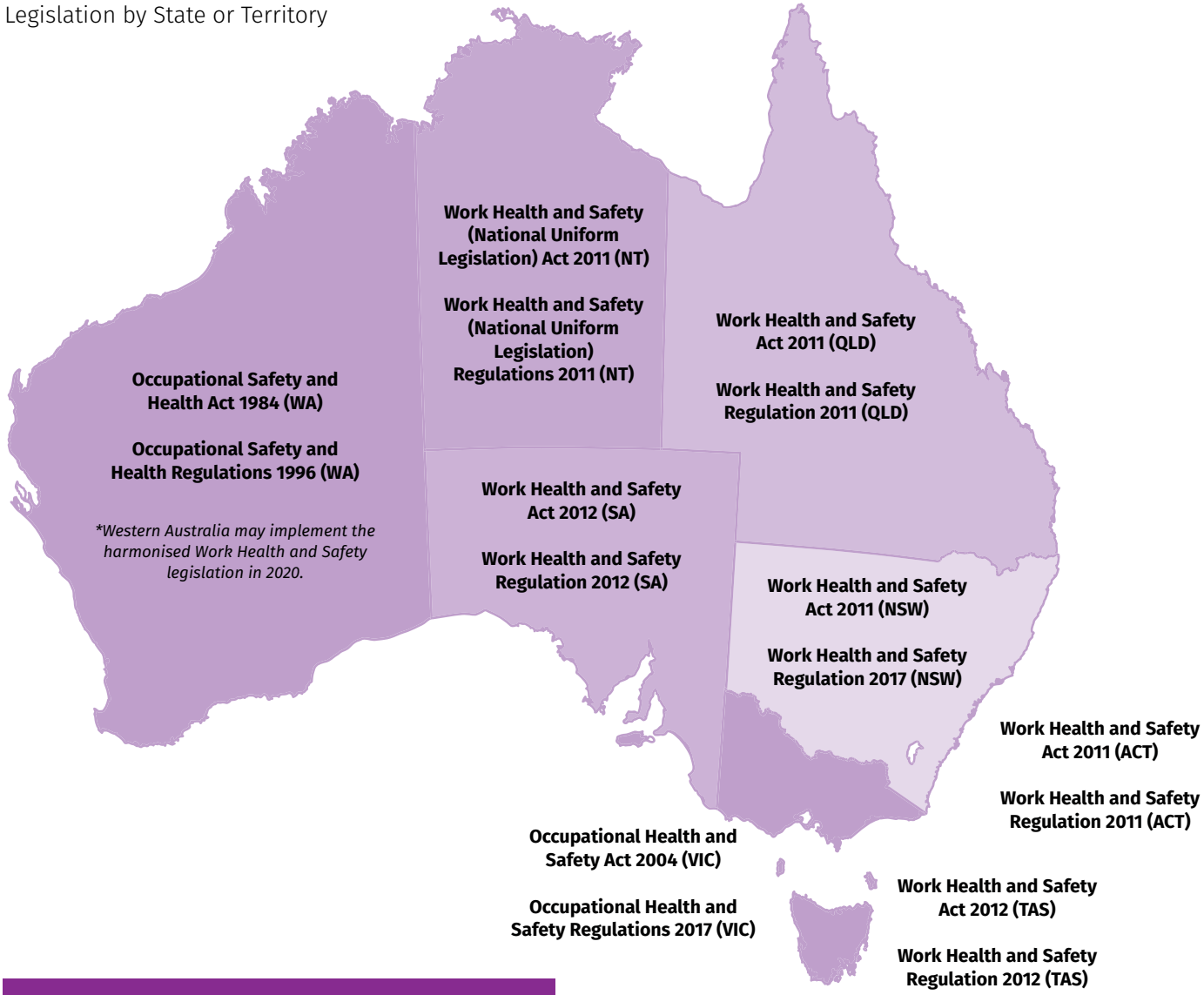
Employers of remote workers are responsible for their welfare and need to ensure the right measures are put in place to protect all workers from high risk situations. A single breach of work health and safety legislation in any Australian State or Territory may potentially result in the imposition of a penalty which has a significant impact on an entire business or an individual personally.

Solutions to managing remote and isolated work

Worker	Risks	Potential Ways To Mitigate Risks
Remote nurse, rural Australia after-hours home visit.	Travelling in an unknown rural location poses a number of risks, including limited access to contact an employer or emergency services because of disrupted or absent mobile phone coverage. The nurse will also be at greater risk working alone with unknown clients.	Equip the remote nurse with: • an effective satellite communication system • radio communication system • emergency GPS device • satellite tracking devices and SOS facility
Forestry operator working outside the site, or contact of other people in a forest.	Worker may be unable to contact or receive assistance from others due to their remote location.	Equip the remote forestry operator with: • an effective satellite communication system • radio communication system • emergency GPS device • satellite tracking devices and SOS facility
Miner working in a remote area.	Traditional communication may not be accessible in the area the miner is in. Communications may also be disrupted by the mining operation.	Equip the miner with: • an effective satellite communication system • radio communication system • emergency GPS device • satellite tracking devices and SOS facility
Transport worker who needs to deliver goods to a remote location.	Travelling in an unknown rural location poses a number of risks. The driver might get lost on their journey to the end destination or could have difficulties with their motor vehicle.	Equip the transport worker with: • an effective satellite communication system • radio communication system • emergency GPS device • satellite tracking devices and SOS facility
Consultant engineer who is hired to assess infrastructure on a project being built in rural Australia.	Traditional communication may not be accessible in the area the engineer is in. The consultant may also be required to travel through remote areas with limited communication or assistance.	Can the site be remotely monitored? • an effective satellite communication system • radio communication system • GPS locator
Contact Centre employee working from home.	The farmer may still be isolated even when other people are relatively close by on a farm because of the nature of the farm duties.	• Home office checklist • Regular face-to-face check ins • Use apps like teams to know when people are online
Farmer working where their employer and family live. Works alone for a few hours each day.	The farmer may still be isolated even when other people are relatively close by on a farm because of the nature of the farm duties.	Can the work be done remotely, for example with a remote sensor? Procedures for regular contact with other workers or those close by, including via alternative communication methods if coverage is poor.

Appendix A.

Legislation by State or Territory



All Australian States and Territories, except Victoria and Western Australia, have largely harmonised work health and safety legislation which is based on the national model work health and safety laws.

Remote and isolated worker risk assessment checklist

Please see below our sample checklist which identifies some potential risks that a remote or isolated worker may experience. Employers and PCBUs should ensure each of these potential risks are assessed and, based on the assessment of the risk.

Risks Potential risks or risk factors that a worker may be exposed to	**Risk Assessment** Is this a risk that the worker will be exposed to? To what extent will the worker be exposed?	**Risk Assessment/Mitigation** What measures are reasonably practicable to eliminate or minimise this risk?
Time How long is the worker needed to be working remotely or isolated?		
What time of day will the worker be remote or isolated?		
Location Where will the worker be conducting the remote or isolated work?		
Are you able to determine the location of a worker in the event of an emergency?		
Will the worker be exposed to environmental risks such as temperature, dangerous terrain and/or animals?		
Will the worker have access to emergency assistance?		
Work What sort of work or activities will the worker be undertaking?		
What machinery or equipment will the worker be using?		
Will fatigue be an issue?		
Is there an increased risk of violence or aggression from others?		
Communication What forms of communication will be available to the worker?		
Are there procedures for regular communication/check-ins with the worker?		
How reliable will emergency communication be?		
Skills/Training Does the worker have any specific skills or training?		
Does the worker require any specific skills or training?		

Author Biography

Samantha Kennedy

Pivotel - Head of Australia, NZ and Asia Pacific

Samantha Kennedy is Head of Australia, New Zealand and Asia Pacific at Pivotel Group with more than 26 years' industry experience across telecommunications, technology, human resources, law and public sector(s). This included 6 years as Telstra's Group General Council for Human Resources, responsible for Occupational Health and Safety compliance.

Samantha has a unique expertise for leveraging product innovation and is passionate about using satellite technology to help people and organisations in critical, remote and maritime environments to stay safe and connected, no matter the location.

Benjamin Burke

Baker & McKenzie - Partner

Ben Burke is a partner in the Melbourne office of Baker McKenzie and has more than 20 years' legal experience advising clients across a diverse range of industry sectors. Ben has been recognized as a leading work health and safety; and employment lawyer.

Ben advises clients on workplace relations, employment law, equal opportunity, discrimination law, work health and safety and risk management. He also advises clients on key industries: pharmaceutical, manufacturing, mining and mining services, waste and environmental services, transport and logistics, retail, government and information technology.

Brought to you by

pivotel. mobile everywhere®

Better Connections, Everywhere

P: 1300 882 448
E: mail@pivotel.com.au
W: pivotel.com.au

Baker McKenzie.

The New Lawyers

P: 03 9617 4200
E: ben.burke@bakermckenzie.com
W: bakermckenzie.com