

**HELPLINE ENQUIRY - ENQ/18/1338**

"Thursday, 23 August 2018 at 4:16:44 PM (GMT-10:00) Warwick, Anthony (Mr):"

No further action warranted.

"Thursday, 23 August 2018 at 2:21:26 PM (GMT-10:00) Wells, Amanda (Ms):"

Based on the information provided in relation to this matter I recommend NFAR.

"Thursday, 23 August 2018 at 2:20:51 PM (GMT-10:00) Wells, Amanda (Ms):"

15/8/2018 – 1436 hours

Email received from Mr Duthoit with information regarding trolley collection at Devonport Woolworths.

See Doc/18/64632

14/8/2018 – 1315 hours

Arrived on site at Woolworths Devonport, 74 Best Street. Meeting with store manager Aaron Duthoit and assistant store manager Jarrod Crowden. I advised the purpose of the visit was to discuss what is in place for trolley collection at the site and what information is provided to workers who undertake this task.

Mr Duthoit advised there is training when a worker commences and they are place on a buddy shift until they are competent to carry out the task alone. Trolley collectors are on task rotation and can also serve customers at times.

There is PPE provided to workers who undertake trolley collection that is high vis vest, wide brimmed sunhat and glasses and wet weather gear. Workers are also provided with a trolley strap and must not move more than 12 trolleys at any one time without the strap affixed. The trolleys are mostly stored outside next to the shopping complex entry.

Requested Mr Duthoit to provide to me the information that is provided to trolley collectors here at the store.

I thanked Mr Duthoit for seeing me without a prior appointment.

"Thursday, 9 August 2018 at 12:32:22 PM (GMT-10:00) Armsby, Malcolm (Mr):"

Forwarded to Anthony Warwick.

"Thursday, 9 August 2018 at 11:50 AM (GMT-10:00) Doran, Claire (Ms):"

Caller is customer at the store and has become increasingly concerned for the safety of one of the staff, a young woman of very short stature (under 5ft) who is solely engaged on trolley collection.

This involves her pushing and controlling a chain of trolleys on a 90degree slope.

According to caller (who is a nurse) she believes the worker is at risk of serious body stress injury, and the public are at risk if she loses control of the trolleys.

Caller today attempted to discuss this with the store manager but he was not available.

She did manage to find out that the worker concerned is a direct employee of Woolworth's (not a trolley collection contractor).

Caller states this worker is always on the trolleys and doesn't appear to be rotated into other tasks.

**HELPLINE ENQUIRY – ENQ/19/646**

'Friday, 31 May 2019 at 10:29:11 AM (GMT-10:00) McLean, Matthew (Mr):'

Complainant [REDACTED] does not wish for WorkSafe to pursue the matter further.

No Further action required by WST at this time.

"Wednesday, 29 May 2019 at 3:01:20 PM (GMT-10:00) Richards, Sara (Ms):"

Was the site visited?

No.

How severe were the injuries?

N/A.

What were the contributing factors to the incident?

N/A.

What was the root cause of the incident?

Workplace bullying/harassment.

Whether the duty holder was licensed or authorised to undertake the type of work involved?

N/A.

Had a risk assessment been undertaken?

N/A.

What controls were in place at the time of the incident?

N/A.

What were the controls that should have been in place at the time of the incident?

N/A.

What remedial action has been taken by WST?

Telephone calls and a meeting with the complainant [REDACTED]

What action has been undertaken by the PCBU following the incident?

N/A

What is the source of the evidence?

Telephone conversations and a meeting with the complainant.

Has the injured person been interviewed as part of the investigation?

Have spoken and met with [REDACTED]

Recommendations:

██████████ has requested (29 May 2019) that I take no further action nor make any enquiries into the matter regarding bullying.

I have acknowledged this request as ██████████ advised she is being stalked at home - I have encouraged her to speak with Tasmania Police about the stalking, however to date she has not.

NFAR.

"Wednesday, 29 May 2019 at 2:56:28 PM (GMT-10:00) Richards, Sara (Ms):"

Wednesday 28 May 2019 at approximately 14:39 hours I telephoned ██████████ on mobile phone number ██████████ - there was no answer, as I was leaving a message - she was calling me.

I answered the incoming phone call.

I advised ██████████ I was contacting her as I had sent her an e-mail recently - asking whether or not she wished me to pursue her bullying complaint with her former employer and that I had not received a response from her.

I asked ██████████ what she wished me to do - ██████████ advised she did not want me to pursue the matter with her former employer.

██████████ advised people were still driving up and down her street - I asked if she had been to Tasmania Police to discuss and she advised she had not and that she should.

I advised ██████████ if she changed her mind and wanted me to make further enquiries with her former employer she only has to contact me to do this.

I advised ██████████ I have not visited nor contacted her former employer due to concerns for her and her daughters safety. ██████████ thanked me for my time, I again re-iterated she should speak to Tasmania Police about the stalking she is experiencing at home she advised she would.

I thanked ██████████ for her time.

Call terminated at approximately 14:44 hours.

"Monday, 13 May 2019 at 4:33:10 PM (GMT-10:00) Richards, Sara (Ms):"

Monday 13 May 2019 at approximately 16:30, I scanned a copy of the document provided to me by ██████████ on Friday 10 May 2019 - titled 'Notification of Bullying Behaviour'.

Document uploaded to CM9 - DOC/19/32778.

"Monday, 13 May 2019 at 4:27:19 PM (GMT-10:00) Richards, Sara (Ms):"

Friday 10 May 2019 at approximately 11.30 hours, I met with ██████████ in the small conference room Level 3 Henty House.

I thanked [REDACTED] for meeting with me.

I outlined to [REDACTED] what the role of WST in investigations pertaining to bullying involve and what WST's role in these complaints relates too. I asked [REDACTED] what her expectations of raising this complaint with WST were – [REDACTED] advised 'she wants the bullying to stop'.

I read, outlined and gave a copy of information relating to bullying (what does and what does not constitute bullying), these documents were obtained from the WST website.

During our conversation the following was discussed:

- [REDACTED] worked for Woolworths (at different locations) between February 2007 and February 2019.
- [REDACTED] advised sexual harassment has occurred at the workplace – I advised and pointed [REDACTED] towards the area in the documents I provided whom to contact about the sexual harassment matter.
- [REDACTED] worked in different areas – Checkout, Grocery, Deli (Fresh Food).
- [REDACTED] is currently studying a [REDACTED] at [REDACTED] and is in her last year and once completed she will qualify as an [REDACTED]
- [REDACTED] advised she can be contacted on mobile phone number [REDACTED]
- [REDACTED] advised that the first instance of bullying happened in 'roughly November 2010' when money went missing.
- [REDACTED] stated (however is not sure), that Manager Amanda CHUGG conducted an investigation and a result of this possible investigation, resulted in [REDACTED] receiving a written warning. I asked [REDACTED] if she challenged or queried the warning, she advised 'No'.
- [REDACTED] advised that after this incident, comments were made to her on the shop floor at Mowbray – by [REDACTED] and [REDACTED], about [REDACTED] pregnancy, father of the child, and called her a prostitute. I asked [REDACTED] if she discussed this matter with any of her managers – she advised she did not.
- [REDACTED] advised that between December 2018 and May 2019 – staff at the Woolworths Wellington Street store – including [REDACTED] (Manager) [REDACTED] and [REDACTED] from the Bakery area – spread and started rumours about HARDACRE's love life, parenting and general rumours.
- [REDACTED] advised that she raised these issues with Hayley (Assistant Manager) – about 15 times and 'nothing happened'.
- [REDACTED] stated she had a meeting with Hayley on or around the 20 January 2019 about the sexual harassment from other staff and the bullying. I asked [REDACTED] if she had any minutes or documentation pertaining to the conversation and she did not. [REDACTED] advised again that 'nothing happened' as a result of the discussion.
- I asked [REDACTED] if she completed or saw any paperwork pertaining to the complaint she raised with Hayley, and she advised 'No'.

- [REDACTED] advised people also made comments about a relationship that she was not having with [REDACTED] from the bakery.
  - [REDACTED] advised that this coincided with her reducing her work hours from 24.75 hours a week to 16 hours a week – [REDACTED] advised this decrease was approved.
  - [REDACTED] advised that she went on a practical placement as part of her [REDACTED] course, to the [REDACTED] on 10 February 2019 - and never returned to Woolworths as she didn't feel safe. I asked what exactly she meant by 'didn't feel safe' [REDACTED] then explained that 'someone' is driving past her house constantly, tooting a horn, yelling abusing out of the car window – saying 'slut' and someone in the car signaled a finger going across their throat. When I asked [REDACTED] what type of vehicle it was, she replied 'she didn't know' I asked if it was a male or female voice yelling, [REDACTED] replied 'she didn't know', I asked if she could give me any description of the vehicle or whom may be responsible – [REDACTED] replied that it may have 'something to do with a family members custody dispute' I advised [REDACTED] that if she felt her safety or the safety of her daughter is at risk then she should speak with Tasmania Police regarding the vehicle.
  - I asked [REDACTED] if she could provide me with any evidence pertaining directly to the bullying, dates of the events etc that occurred at Woolworths – [REDACTED] advised she did not have anything.
  - During our discussion – I went through the document 'Notification of bullying behaviour' that [REDACTED] had filled in. I took a photocopy, [REDACTED] dated and signed.
  - [REDACTED] was unable to provide any supporting information to the allegation of online bullying.
  - I asked [REDACTED] if she has been to discuss these matters with her GP or seen a counsellor – she advised 'Yes' I asked if she has seen a counsellor or similar person to discuss, she replied 'yes' however could not provide me with any details.
  - [REDACTED] became visibly upset during our discussion and she advised she didn't want to it to 'go any further and just wanted it to stop' I asked [REDACTED] if she wished me to pursue the matter and if she wanted to remain anonymous – [REDACTED] changed her mind several times. I suggested that she think about the matter over the coming days and to let me know if she wished me to make enquiries with Woolworths.
  - I gave [REDACTED] my business card and advised I would email her about the matter.
- I thanked [REDACTED] for coming in to meet with me and suggested and encouraged that she contact Tasmania Police if she is feeling unsafe at home. I advised that the printed information I have supplied to her, has contact details in relation to the sexual harassment matter.
- I advised [REDACTED] if she wanted to ring, email or talk further about any matter to call me.
- I asked [REDACTED] to let me know if she wanted me to continue my enquiries with Woolworths – she advised she would let me know.
- [REDACTED] left at approximately 13:00 hours.

"Monday, 6 May 2019 at 4:30:02 PM (GMT-10:00) Richards, Sara (Ms):"

Monday 6 May 2019 - at approximately 15:56 hours I telephoned [REDACTED] on telephone number [REDACTED]. When answered I asked for [REDACTED] - and introduced myself and advised I have been allocated the complaint regarding bullying in the workplace.

[REDACTED] advised it was social media bullying and it 'got out of hand' she advised she is a single mother. I advised [REDACTED] I have a form for her to fill in some more details about the bullying at her former workplace, [REDACTED] advised 'its hard' I advised for her to fill in the document as best as she could.

I asked whether we could meet to discuss further and arranged a day - Friday 10 May at 11.30 hours at the offices of WorkSafe Tasmania Launceston, I provided the details of where the office is located and advised I would notify her via e-mail - and send the document I spoke about.

I thanked [REDACTED] for her time - call terminated at approximately 16:00.

At approximately 16:09 - I sent an e-mail to [REDACTED] - [REDACTED] - with the form and also advising of the meeting date and time:

Good afternoon [REDACTED]

Thank you for your time this afternoon.

As discussed please find attached the document I would like you to fill out as best you can – you can either e-mail this back to me – or bring along on Friday, I look forward to meeting you then.

To confirm our appointment – Friday 10 May 2019 - 11.30 am – Level 3, Henty House, 1 Civic Square Launceston.

If you need to contact me prior to Friday, please do not hesitate to ring or e-mail me.

Kind regards,

Sara.

Email uploaded to CM9 - DOC/19/28319.

"Wednesday, 1 May 2019 at 3:55:14 PM (GMT-10:00) McLean, Matthew (Mr):"

Assigned to Senior Inspector RICHARDS

"Tuesday, 30 April 2019 at 11:39:28 AM (GMT-10:00) Doran, Claire (Ms):"

See attached online complaint form.

**HELPLINE ENQUIRY – ENQ/19/1704**

"Thursday, 12 December 2019 at 3:52:57 PM (GMT-11:00) Myers, Adam (Mr.):"

E-mail received from Sue Aughterlony, manager of Kingston Shopping Centre, stating the potential of future plans and the hazard that trolley pushers can cause.

"Thursday, 12 December 2019 at 3:50:04 PM (GMT-11:00) Myers, Adam (Mr.):"

E-mail sent to Sue Aughterlony manager of Kingston Shopping Centre stating that WST was satisfied with the entry & egress at this time around the temporary shop.

"Thursday, 12 December 2019 at 3:42:08 PM (GMT-11:00) Myers, Adam (Mr.):"

E-mail received from centre manager Sue Aughterlony @ 1455 on the 12 DEC 19. Ms Aughterlony attached a photo of the set up of the temporary shop.

"Thursday, 12 December 2019 at 2:45:57 PM (GMT-11:00) Myers, Adam (Mr.):"

Contacted via phone the centre manager Sue Aughterlony (0412234688) @ 1440 on the 12 DEC 19. Ms Aughterlony stated that the temporary shop did not pose a hazard to the entry or egress of the centre. Ms Aughterlony stated that she would send through a photo of the set up of the shop in relation to the door access.

"Thursday, 12 December 2019 at 1:36:51 PM (GMT-11:00) Parker, Bradley (Mr.):"

Adam please bring this matter to the attention of centre management.

"Thursday, 12 December 2019 at 12:12:26 PM (GMT-11:00) Newman, Philip (Mr.):"

Caller advised that a new temporary business has been allowed to set up in the passage way just inside the main car park entrance to the shopping centre.

This business consists of 3 tables and the caller believes it creates a potential "bottle-neck" type hazard for shoppers.

This is because Woolworths employees need to push lines of shopping trolleys through air lock doors at an angle and then navigate past the new tables which are in close proximity.

If the new temporary business could be relocated further back up the passage inside the shopping centre the hazard would be substantially reduced.

Caller has attempted to contact Centre Management (6229 5376) without success.



## HELPLINE ENQUIRY – ENQ/20/99

"Tuesday, 11 February 2020 at 2:27:58 PM (GMT-11:00) Warwick, Anthony (Mr):"

No further action warranted per reasons described by In-training inspector Natalie Luttrell

"Tuesday, 11 February 2020 at 10:24:52 AM (GMT-11:00) Luttrell, Natalie (Ms.):"

Responses to Inspection Report received from Store manager (Mr. Aaron Duthoit) and Risk & Safety Specialist (Tasmania) (Ms. Erika Partocs).

Customer, subject of Helpline notification, advised that she would not have reported if able to speak with Store Manager sooner. Woolworths have a comprehensive reporting system, the incident was reported and logged at the time by staff and customer.

The incident as described does not meet the criteria of Sections 35-37 of the WHS Act 2012.

No further action recommended.

"Wednesday, 5 February 2020 at 12:53:23 PM (GMT-11:00) Luttrell, Natalie (Ms.):"

Site visit completed on 4th February 2020.

Inspection Report e-mailed on 5th February 2020.

Recommend no further action.

"Tuesday, 4 February 2020 at 9:24:08 AM (GMT-11:00) Luttrell, Natalie (Ms.):"

Contacted by Erika Patocs (Risk & Safety Support Officer Woolworths M. 0404 829 871) booked appointment at Woolworths Devonport 12pm Tuesday 4th February 2020 to discuss the stock trolley guidelines and reporting of incidents

"Thursday, 30 January 2020 at 1:01:50 PM (GMT-11:00) Luttrell, Natalie (Ms.):"

Contacted informant [REDACTED] (M. [REDACTED]) at 11.19am - 11.35am

Confirmed she was a customer.

She was shopping at Woolworths using customer trolley, located at the milk fridge's, near the internal store entry to the warehouse section.

She had the trolley close to the milk fridges out of the way of other shoppers, focussed on the dates on the milk cartons.

The storage/warehouse entry is located in the vicinity of the milk fridges. [REDACTED] was focussed on her task and recalls hearing the larger stock trolley but did not look up. She felt the bump of the stock trolley clipping against her shopping trolley which then knocked into her.

Felt surprised and scared, but otherwise not injured sufficient for medical attention.

The staff member using the stock trolley laughed but apologised ([REDACTED] unsure if it was nervous laughter or other), he was an older worker (wrinkles).

[REDACTED] recalls asking him why he was pulling the stock trolley backwards, recalls the response was 'that we can't see over the shelves if we push it forward, have to pull it backwards and can only look one way or the other (by twisting).

[REDACTED] describes the stock trolley as over 5feet (her approximate height) with multi shelves on wheels. She cannot recall if the stock trolley had any stock on it at the time.

[REDACTED] recalls that the staff member may have been talking with other staff at the storage exit prior to moving the stock trolley, he may have been distracted when getting the stock trolley to move, it could have swung out further than expected, does not consider the incident to be deliberate.

[REDACTED] concern re the practice, 'what if she had been an older person or a child' the force of the jolt could have had more serious consequences for the wrong shopper.

Potential for serious consequence, maybe a mirror at the warehouse exit point, maybe different trolley or procedure.

Woolworths have tried to call her since the report, but she has missed their calls, when she calls back she gets the office. Hone tag at present.

[REDACTED] is concerned about the ongoing risk where staff have to walk backwards and can only twist one way at a time to see shoppers and other hazards.

Advised [REDACTED] of the type of engagement WST can have with workplaces.

And that we do not normally re-contact informants in this type of enquiry. Thanked her for the information.

"Friday, 24 January 2020 at 2:46:02 PM (GMT-11:00) Wells, Amanda (Ms):"

Assigned to Inspector Luttrell to follow up safe work process for operators using restock trolley within store. Any issues please see me Nat.

"Wednesday, 22 January 2020 at 10:05:09 AM (GMT-11:00) Doran, Claire (Ms):"

See attached email complaint in relation to the large re-stocking trolleys used in store. I rang [REDACTED] back to let her know it was being forwarded to our Burnie office. She said either staff walk forwards with the trolleys and can't see where they are going, or walk backwards dragging the trolley in a twisted posture.

**Complaint Type: Unsafe Conditions | COM-2229**

Relates to: Woolworths 26 Bligh St, Rosny TAS 7018

**Description of Complaint**

From what I can make out of the email, complainant had a plastic protection panel fall on him while at the checkout. He is concerned that they have not fixed it properly so that it won't fall on someone else. Further reading in email document attached.

**Complaint Type: Unsafe Conditions, Unsafe Practices | COM-957**

Relates to: 27 Cole St, Sorell TAS 7172

**Description of Complaint**

About 8pm on 4/3/2021 caller's son slipped on spilt animal feed in this store resulting in him being taken to RHH by ambulance. He was released after a few hours but is still suffering pain. Caller says this is not the first time one of her children has slipped on rubbish in this supermarket and believes their practices need addressing.

**Inspector Comments**

In discussion with Southern Team Leader, it has been decided that there is insufficient evidence for WorkSafe to pursue any enforcement action..A statement was requested from the IP, however, the statement is unlikely to strengthen the evidence enough to result in a likely enforceable action against Woolworths.

The PCBU has supplied a report for incident and also a statement from the staff member who attended the IP after the incident, Allison Fuller (EVI-4567). It is important to note that the hazard the IP slipped on was removed immediately after the incident so as to prevent re-occurrence.

Woolworths have stated that they have been more than happy to cover the IP with their Public Liability Insurance and had asked the mother to let them know how the IP was. As of the closure of this job the mother has not been back into contact with Woolworths, despite attempts made by Woolworths.

There is no CCTV of the incident and the only direct witness was the IP who is an 11 year old boy. Based on the evidence supplied by Woolworths, I am of the view that it is not necessary to subject the IP to a formal statement. This is based on the fact that even with his statement there will not be enough evidence for WorkSafe Tasmania to undertake any corrective or enforcement actions. Based on the information provided, Woolworths have dealt with this incident appropriately.

The complainant has been provided feedback.

NFAR

**Complaint Type: COVID-19 | COM-512**

Relates to: Deloraine Woolworths 78 Emu Bay Rd, Deloraine TAS 7304

**Description of Complaint**

Complainant shopping on Sunday 01 November 2020 - 2 checkouts open both facing each other (other checkouts not being used) not possible to social distance when putting groceries through and paying.

Issue raised with staff who allegedly showed very little interest.

**Inspector Comments**

5/11/2020 15:30HRS, established contact via telephone with regional health and safety manager Ms Erica Patocs. I informed Ms Patocs as to the nature of the complaint made to the helpline. Ms Patocs advised she will contact store manager where she will undertake preliminary enquiries.

11/11/2020, I received a response form Ms Ericka Patocs in relation to the complaint. The following information was provided.

In discussion from the SM with the Customer Service Team I can offer the following in relation to the customer's concern of lack of social distancing when WW employees 'facing each other':

WW employees would face each other on registers when they are on different register stations. The distance between these register stations complies with the social distancing requirement. At the end of every register there are floor decals stating 'please stand here' to guide our customers. Woolworths as a business also have extensive social distancing guidelines in place that are checked every week by Management.

The opportunity in this situation was identified that if there is a possibility to open other registers to help with spacing this was not in place when the customer was shopping.

The Store Manager and the Customer Service Manager completed a Tool Box meeting to reiterate to our team for spacing registers whenever it is possible and reasonably practicable.

I am satisfied with the response given.

## Complaint Type: Unsafe Conditions | COM-2402

Relates to: 142 Nelson Street, SMITHTON, TAS, 7330

### Description of Complaint

Around 6 months ago a water main burst beneath the storeroom of Woolworths supermarket in Smithton.

This washed out much material beneath the concrete floor and left a "massive cavity" according to anonymous caller.

Caller claims that the storeroom floor has dropped around 1 cm in the last week and that also steel uprights are being compromised.

There does not appear to have been any engineering assessment done and temporary supports installed.

According to caller TasWater and the (unknown) building owner are in discussions about liability and responsibility but in the meantime the floor appears to be getting weaker and thereby potentially putting workers at risk. There is also a pharmacy in the vicinity.

### Inspector Comments

23AUG22: site visit to Woolworths Smithton - met Mr Allan Poke Store Manager, viewed storeroom and external wall at loading bay. Attended with S/I Rita Hach (INS-8640) Sent email to Erica Partocs (PER-57) requesting advice on who the Health And Safety Advisor for Woolworths Vic/Tas was. Referred to Kirra-Lee Webb (PER-5904) (refer COR-12489)

24AUG22: called Kirra-Lee Webb she advised that she had forward my email to the Health and Safety Team and someone would call me back

Call back from Michelle Apostolopoulos (PER-14002)(MA) Safety Health & Wellbeing Partner VICTAS Zone 2 & 6 (COR-12491) - request for engineering reports

30AUG22: (COR-12577) Engineering reports (EVI-7278 & EVI-7279) received

29SEP22: (COR-14697) response from MA advising rectification time frames are still being processed, waiting on communication from landlord; store communicating with team at daily stand-ups - speak daily about the progress of the matter, opportunity for any questions or concerns to be expressed

8FEB23: (COR-14703) Request to MA for an update

13FEB23: Update received (COR-14768) :

- *Store team are getting regular updates from the state team and are then sharing and talking to the current information at their daily standups, huddles boards and electronic communication platform workjam*
- *The team is encouraged to ask questions and share any concerns they have to be supported and addressed*
- *Next steps regarding rectification works:-*
- *Affected area in the back of house remains isolated*
- *Reviewed and updated equipment to support back of house storage*
- *Landlord and Local Council ongoing engagement*
- *Landlord insurance company appointed contractor to complete works*
- *Landlord appointed engineers to ensure rectification works meet standards*

*An onsite meeting will be conducted in February (date to be confirmed) where all parties including the store leadership team will be involved to discuss and create an action plan for the works to be completed.*

Neither of the technical reports provided on 30AUG22 highlights an immediate risk to health & safety (The reports don't appear to be commissioned on the basis of health & safety of workers, more about what the technical issues are that need to be considered during rectification) (refer Engineers code of ethics and Guidelines on Professional Conduct EVI-7291, *on the basis that if there were an imminent risk it would have been advised and action taken*). The reports do not appear to identify any imminent risk to the health and safety of persons at the site.

Rectification works progress is not within control of Woolworths, but progress reporting appears to be occurring, relevant Health & Safety information now being passed onto workers at 'standup' team meetings.

No Further Action required at this time.

**Complaint Type: Unsafe Practices, COVID-19 | COM-45**

Relates to: 2 / 12 Legana Grove, Legana TAS 7277

**Description of Complaint**

Observed that there was overcrowding at the checkouts with customers unable to appropriately social distance and the checkout lines were impeding customers' ability to safely navigate around the end of the aisle without limiting their ability to social distance.

**Inspector Comments**

An inspection was conducted and it was observed that controls had been implemented which should reduce the likelihood of overcrowding in the checkout area, enhancing customers and staff ability to social distance effectively. I was satisfied that Woolworths Legana have taken reasonably practicable measures which should decrease the risk to workers and others of spreading COVID-19.

**Team Leader Comments**

An inspection was conducted and it was observed that controls had been implemented which should reduce the likelihood of overcrowding in the checkout area, enhancing customers and staff ability to social distance effectively.

No further action required by WST at this time.



**Complaint Type: Unsafe Conditions, COVID-19 | COM-169**

Relates to: 2 Cooper Street, GLENORCHY, TAS, 7010

**Description of Complaint**

No wipes or sanitiser supplied for trolleys/baskets.

**Inspector Observations**

I entered the workplace and met with a person who identified herself as manager of the store Karen Brittain.

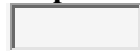
I identified myself as an inspector appointed under the Work Health and Safety Act 2012 and produced my identification card and explained the purpose of my visit.

Observed signage, posters, floor markings.

Information relating to wiping trolleys and baskets in place. Wipes were available.

Ms Brittain advised that wipe supply is monitored and replenished as soon as they run out.

A person did raise the issue last week. In that case the wipes had just run out, and they were replenished immediately.

**Inspection Outcome**

Contravention/s not detected.

**Outcome Description**

Ms Brittain indicated wipes would be monitored.

**Inspector Comments**

Actions as per inspection report - PCBU compliant at time of inspection  
NFAR

**Complaint Type: Unsafe Conditions | COM-2982**

Relates to: 26 Bligh St, Rosny TAS 7018, Australia

**Description of Complaint**

Caller was very disgruntled and claims that many employees and customers that enter the various southern Woolworths outlets are terrified of the many armed youths/people that come in the stores. He claims he has spoken with several employees who are scared of going to work, fear for their safety and are too worried to say anything to most of the people stealing for fear of being stabbed/injured. Several of the customers are repeat offenders for other malicious crimes and the stores don't seem to provide a safe work environment. There is lots of violence and aggression occurring in these outlets and the staff/customers are feeling unsafe.

**Inspector Comments**

A site inspection was carried at 26 Bligh Street, Rosny (Woolworths) on the 3rd August 2023 to gather information in regard to the complaint received by WorkSafe Tasmania.

During the inspection, the following information was gathered;

- All staff are trained on various training modules, including Dealing with Workplace Abuse and Violence.(see COR-16856)
- There is always a Store Manager or an Asst Store Manager on duty in the store.
- No employee has raised concerns or lodged grievances regarding feeling unsafe due to armed youths or about been afraid to come to work.
- No customer has raised concerns or lodged a complaint regarding feeling unsafe due to armed youths.
- There was a recent meet up with the commander of Bellerive Police Department together with other business owners from the vicinity. The commander advised the business owners that there will be armed police presence/patrol in the mall sometimes after September 2023.
- Woolworths had also engaged Wilson Security to provide Security Personnel to be in the store in the evenings.
- Woolworths uses the Auror App to log in and report crime related incidents.
- For Night Teams working late, the team will leave the store and walk to their cars together.

Based on the information obtained at the time of inspection, there are Safe Systems of Work in place to protect employees and customers.

No Further Actions Required.

## Complaint Type: Unsafe Practices | COM-747

Relates to: 6 Franklin St, Lindisfarne TAS 7015

### Description of Complaint

Caller states that she attended Woolworths Lindisfarne in October 2020. She went to the Deli area and used the sanitiser on the top of the counter. Apparently the tip of the nozzle was clogged with a gel sanitiser and then came out in a rush and squirted her in the eye.

Woolworths staff didn't handle the situation well and tried to hussle her out the back along all these corridors, tripping over boxes etc and 5 mins later came to an eye wash area. She had a panic attack because of the pain and the fact she thought she was going to lose her sight etc. They just told her to see a GP if not better in the morning.

Her eye wasn't any better and a GP referred her to an eye surgeon where she received some treatment to try and rectify the burn to the top layer inside her eye. Woolworths had refused to pay costs associated with the incident and have only offered her \$500 as a goodwill gesture to make her go away and she was to sign some paperwork (which she hasn't) so as not to tell anyone about the incident, make further claims etc.

She is concerned that the sanitiser is still in the same position and still the same gel type and could cause another incident to a customer. Apparently the same scenario in the New Norfolk store too. She doesn't want anyone else to go through the same thing she did if it can be prevented.

### Inspector Comments

On 11 January 2021 at 10:55hrs, I attended Woolworths Lindisfarne and met with the Store Services Compliance Officer; Ms Mary Halliday. I identified myself as an Inspector from WorkSafe Tasmania, appointed under the *Work Health and Safety Act 2012* and produced my identification card.

The following controls in response to managing the risks of COVID-19 have been implemented in the workplace:

- COVID-19 Safety Plan;
- Reminders and cues reminding those entering to maintain social distancing;
- Floor decals (reminding persons entering to adhere to 1.5 metre social distancing requirements)
- Density limit (based on 1 person per 2 square metres);
- Restricted physical interactions with other workers and customers;
- Barrier screens fitted to customer service/self service counters;
- Hand sanitiser supplied upon entry to store and located on deli counters;
- Hand sanitiser monitored/checked and refilled regularly throughout the day;
- Hand sanitiser nozzles cleaned to prevent blockages;
- Hand washing amenities for personal hygiene and infection control in store for workers;
- Increased cleaning and disinfection schedule, frequently touched items and areas;
- Cleaning products and instruction/training provided to workers;
- Cashless transactions encouraged;
- Workers sanitise hands after handling cash;
- COVID-19 information provided to workers;

- Workers who are unwell or displaying flu-like symptoms are advised to not attend work;
- Workers rotated to ensure no one worker has all contact with customers;
- Workers take staggered breaks.

Ms Halliday advised that Woolworths Lindisfarne had implemented an additional control to minimise the risk of sanitiser ejecting in a way that may cause harm or injury to the person using it. Before each shift, workers are required to check and unclog sanitiser dispensers, positioned at the deli counter.

Ms Halliday provided the undertaking that Woolworths Lindisfarne shall continually review the controls established within the workplace, to ensure COVID-19 controls are working effectively.

No contraventions detected at the time of this inspection.

Note: Attempts to contact the complainant have been unsuccessful.

**Complaint Type: Unsafe Conditions, Unsafe Practices, COVID-19 | COM-49**

Relates to: 350 Westbury Road, PROSPECT, TAS, 7250

**Description of Complaint**

Not observing social distancing in supermarket,

**Inspector Comments**

Attended the site and observed good social distancing practices in place. Provided with "5.0 Social distancing in our stores" document, a plan for all Woolworth stores to implement. The Prospect Vale store had implemented steps in line with this document.

At the time of my site visit, I did not observe any concerns in line with this complaint.

I recommend no further action.

**Team Leader Comments**

Controls implemented by PCBU in relation to COVID-19. No issues observed by Inspector during site attendance.

No further action required by WST at this time.

**Notes**

17 April 2020 @ 15:34 hours, [REDACTED] returned my call. Through a discussion with [REDACTED] I became aware that she has a nurse friend who has told her that the gloves she uses and steps being taken by the supermarket are not adequate. From there [REDACTED] has increasingly become concerned of the steps the supermarket has taken. Some of the issues raised by [REDACTED] include clustering of persons at the front near registers, inadequate glove type being used, the manager of the store placing unloading carts throughout the store, against the direction of the senior manager. [REDACTED] was very concerned for her safety while at work and believes the store manager is a rule to her own and is haphazard in her approach to safety.

Call made to the complainant, seek further information in relation to her concerns. No answer of phone, message left.

17 April 2020 @ 09:00 hours, hook up with Woolworths Group Limited representatives, Christopher Bushby, Tristan Merrett, Graeme Connelly & Inspector PHAIR via the Google Hangout platform.

Inspector HARVEY presented a document previously received from Mr BUSHBY via email, titled: "4.0 Social Distancing in our stores (02\_04\_20) - FINAL.pdf" that had been marked up with questions in relation to the observations made at the Prospect Vale store in line with the document content.

The conversation drew on a number of concerns, however the clear direction of the conversation led to the funnelling effect of shoppers waiting to pay at the checkout, and the flow on effects of the cluster of persons at this point.

Further concerns were spoken, those included the clustering of persons in aisles. All Representatives were accepting of the information and accepted the concerns raised. Agreement was made to meet at the Legana Store at 11 am, Tuesday 21 April 2020.

**Complaint Type: COVID-19 | COM-515**

Relates to: 79 Main St, Huonville TAS 7109

**Description of Complaint**

Huonville Woolworths are allegedly not following their Covid safe plan. Approximately 300 customers in the store at a time, no sanitiser -empty dispensers, customers are walking out through the entry point of the store instead of the exit, no signage and no physical/social distancing occurring.

**Inspector Comments**

Attended site and conducted a routine COVID-19 inspection report.

At the time of my visit, all C-19 safety measures were in place.

No contraventions detected and no further action required.

Awaiting closure by T.L SELIGA and or any further instruction.

**Team Leader Comments**

8/02/2022: No contraventions identified by Insp. BROWN during his site attendance on 10 January 2022 (INS-6595). No further action required at this time.

**Complaint Type: COVID-19 | COM-764**

Relates to: 6 Shoreline Dr, Howrah TAS 7018

**Description of Complaint**

Complainant alleging no social distancing occurring, no hand sanitiser and no cleaning of self checkouts after use.

**Inspector Comments**

Conducted site inspection on the 12 Jan 2021. See: INS-3598.

No contravention observed.

No further action required.

**Complaint Type: Unsafe Practices | COM-229**

Relates to: 35 Main Road, CLAREMONT, TAS, 7011

**Description of Complaint**

Complainant is concerned about carrying heavy money up and down stairs in her workplace. See attached complaint for full details.

**Inspector Comments**

I had a discussion with Mr Kingston and Ms Nichols in relation to how cash and coin is handled from the registers to the safe. The procedure up to 12 months ago was cash was left in the tills overnight, but due to a break in cash is now removed at the close of business and taken up to the safe which is located up a flight of stairs to the main office. The cash from each till is placed into bags and the bags are placed into green shopping baskets, then escorted by 2 workers and the Duty Manager to the safe up the stairs. The process is reversed for the start of each day. Excess notes are removed from registers during the day through a "shute". Staff are not expected to carry more than 15kg.

A discussion with Mr Kingston in relation to the filling of shelves during the day and evening when the store is still open. Mr Kingston explained how workers top up shelves during the day and use roll cages to move product about. Pallets are brought out early evening and placed at the rear of the store where there is room for pallets. The products are then transferred to roll cages.

I had a conversation with Ms Erika Patocs in relation to the trolley collection. Ms Patocs explained that the trolleys are collected by contractors, and occasionally Woolworth workers. There is an induction for this process and Contractors and workers acknowledge this training. Ms Patocs also explained that at the end of the day, coin will no longer be removed from registers and carried upstairs, and it will only be notes that is removed.

NFAR



**Complaint Type: Unsafe Conditions, Unsafe Practices | COM-1717**

Relates to: 2 / 12 Legana Grove, Legana TAS 7277

**Description of Complaint**

Three workers on roof without hi vis or harnesses.

**Inspector Comments**

Attended at the workplace at Woolworths Legana and met with Acting Store Manager. Discussed the complaint (COM-1717, Unsafe work practices by workers on the roof) as a result:

- Mode Electrical have been contracted to install solar panels on the roof
- Workers had signed out at the time of my visit (as a result of checking Contractor Register)
- Phone call and message left with Mode Electrical to contact WST Inspector
- Whilst on way home from work observed three workers on the roof of building, all wearing Hi-vis and all more than 2.0m away from the edge of the roof
- Further follow up enquiries to be made.
- On 27/10 Mode Electrical provided details of a SWMS. COR-8138
- Job completed on 26/10/21
- No further action recommended

**Team Leader Comments**

No further action required by WorkSafe Tasmania at this time.

**Complaint Type: COVID-19 | COM-1483**

Relates to: 6 Shoreline Dr, Howrah TAS 7018

**Description of Complaint**

Every time I go to Woolies at Howrah I see people, particularly elderly, who enter without checking in. I have never seen a staff member at the entrance checking compliance. This is probably the most visited venue on the Eastern Shore.

**Complaint Type: Unsafe Conditions | COM-2905**

Relates to: 142 Nelson Street, Smithton TAS 7330

**Description of Complaint**

Caller states that there is structural damage to the Woolworths Smithton building floor. A water main burst around 6-12 months ago and washed out the soil from underneath the concrete - resulting in it not being stable. Part of the building has been partitioned off but there are still people working on the floor above. There are concerns that it's not structurally sound to have people in the building at all as there is cracking to walls, walls are moving and floors are sinking. Allegedly the landlord had a report done at some point but the building has now deteriorated even further and they don't wish to cease trading as too many \$\$ will be lost.

**Inspector Comments**

22MAY23: REFER ALSO COM-2402 for engineering reports (EVI-7279 Pitt & Sherry)(EVI-7278 Geoton). Update the ORG to match. COR-15851 request for update on rectification issues and communications with team about progress.

23MAY23: received phone call from Wendy Oldaker the Safety Health & Well being Partner Woolworths Tasmania (PER-1597) - discussed the progress and scope of works, email to be sent as follow up. (See notes below) Michelle Apostolopoulos (PER-14002) is now the Victoria SHWB Partner

24MAY23: (COR-15857) Intended works program

1AUG23: (COR-16717) Request for site meeting and updated reports to assess progress and ensure workers are receiving adequate information.

3AUG23: site meeting set up for 23AUG23

23AUG23: 10am site visit with Inspector James Showell, met with Wendy Oldaker (PER-1597) and Jason Faulkner (Store Manager) (PER-18140) - INS-10938.

(<https://paynters.com.au/> Project Managers Ben Dreger Foreman M: 0477 116 551)

Fortnightly virtual meetings are held between the stakeholders (building owners, tenants, construction company). Information is disseminated to the workforce via hard copy on notice boards, the daily 'Stand Ups' and virtually on the workplace app. There is no restriction on workers discussing the information in the community.

Progress on de-construction has been slower than expected, security fencing is in place and the cool room panels are ready to be removed from site. The co-located pharmacy is moving operation to another location over the weekend of 25th - 27th August, re-opening at temporary location 53 Emmett Street, Smithton.

NO FURTHER ACTION REQUIRED AT THIS TIME

Recommend Inspectors attending the Smithton area conduct proactive inspection of the construction company. Paynters Pty Ltd (ORG-16624) are based in Queensland, have no current WST profile in Tasmania.

### **Team Leader Comments**

It appears remediation works are well underway with a solid plan for completion of works. Further periodic inspections are warranted as per Inspector Luttrell's recommendation.

**From:** [Luttrell, Natalie](#)  
**To:** [Wendy Oldaker](#)  
**Subject:** RE: WorkSafe Tasmania - Woolworths Smithton (Building cracks) (OUR REF: COM-2905)  
**Date:** Wednesday, 24 May 2023 9:28:00 AM  
**Attachments:** [image007.png](#)  
[image008.jpg](#)  
[image009.jpg](#)  
[image010.png](#)  
[image011.png](#)  
[image012.png](#)  
[image013.jpg](#)  
[image014.jpg](#)  
[image015.jpg](#)  
[image016.jpg](#)  
[image017.jpg](#)  
[image018.png](#)  
[image019.jpg](#)  
[image020.jpg](#)

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Good morning Wendy

Thank you for the information

Note that there were no attachments that you referred to

I have discussed with my Manager and from our perspective I will place a reminder for end of July to touch base with you with regard to progress

Additionally, if I am allocated any Inspectorate work in the Smithton area, I will touch base with you to arrange an actual site visit.

It would be prudent to mention this to the builders as well!

I hope it all goes to plan

Regards

Worksafe WhiteLine



**Natalie Luttrell**

Inspector | Inspectorate North West

WorkSafe Tasmania | Department of Justice

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**From:** Wendy Oldaker <woldaker@woolworths.com.au>  
**Sent:** Wednesday, 24 May 2023 8:16 AM  
**To:** Luttrell, Natalie <Natalie.Luttrell@justice.tas.gov.au>  
**Cc:** Georgia Danos <gdanos@woolworths.com.au>  
**Subject:** Re: WorkSafe Tasmania - Woolworths Smithton (Building cracks) (OUR REF: COM-2905)

Dear Inspector Luttrell ,

Thank you for your email regarding the anonymous notification and scope of works update for our Smithton Store.

I am pleased to inform you we have been provided details on the scope of works and the Landlord and their Insurers have scheduled the start date for stage 1 to commence 4th July 2023. Attached is a copy of the latest engineers report, along with the scope of work for the site. The engineers have confirmed the site is safe to occupy ongoing whilst these works are undertaken.

Our Team have been updated on the scope of works and we are committed to ensure ongoing consultation and feedback from the team throughout the project

We have implemented weekly meetings with all the key stakeholders to ensure everyone is kept informed. The store manager has also regularly updated the team after each meeting. Both myself and the Group Manager have also completed weekly site visits too.

The store also has on display a copy of the staged scope of works as part of the information to the team and the team has been engaged as exclusion zones have been established.

The next site meeting is planned for the 31st May onsite with all key stakeholders in attendance to confirm the next steps.

Next steps regarding rectification works:

**PRE CONSTRUCTION: 8th May 2023 - 3rd July 2023**  
**Woolworths**

- Defit the premises from all non-structural items inclusive of coolroom/freezer panels and hand the premises to the builder to commence rectification works
- Site meeting scheduled for 31st May 2023
- Additional storage (storage containers, coolroom/freezer pans) for use during the works period has been installed

**STAGE 1: WOOLWORTHS BACK OF HOUSE 4th July 2023 - 27th September 2023**

**Builder**

- Repair external footpath to Smith St
- Installation of full height hoarding to works zone to provide for secure premises, dust and weather protection
- Demolition of existing external wall and any internal structural walls, internal

joinery and structural fixtures

- Provision of a night time security guard during works period
- Slab and wall rectification works
- Reinstate Woolworths slab and external wall as per existing conditions\*
- Remove internal hoarding wall and hand back premises to Woolworths

### **Woolworths**

- Post handover reinstate coolrooms, freezers, prep rooms etc\*

### **STAGE 2 - CHEMIST 28th September 2023 - 25th October 2023**

- No impact to Woolworths

### **STAGE 3 - LOADING DOCK WALL 26th October 2023 - 30th November 2023**

### **Builder**

- Demolish external skin of masonry wall
- Lay new blockwork and reinstate masonry wall

Please let me know if you require any further information

Kind Regards  
Wendy

On Mon, 22 May 2023 at 11:49, Luttrell, Natalie <[Natalie.Luttrell@justice.tas.gov.au](mailto:Natalie.Luttrell@justice.tas.gov.au)> wrote:

Good morning Michelle,

WorkSafe Tasmania have received an anonymous notification in relation to the Woolworths Smithton site

They have expressed concerns about the structural integrity of the building, increased cracking in walls and sinking floors

They express a belief that it relates to the issues created by the leaking water main and subsequent cavity identified previously (OUR REF: COM-2402)

Are you able to provide an update on the progress made to rectify or maintain the structural integrity of the building and thus the safety of all person working or using the building; any up to date engineering reports indicating the building is still fit for purpose; and or a timetable of works proposed to maintain the safety of the building in the affected area/s.

Are you able to advise that local management continue to be authorised, and have been, providing regular updates to workers on site in relation to the structural integrity of the building and management of the subsidence issue/s

If the cracking/subsidence has become more apparent to members of the public is there consideration of information provided (by way of signage or other) to assure the public they are safe when entering and using the customer access areas of the building?

Regards

Worksafe WhiteLine



**Natalie Luttrell**

Inspector | Inspectorate North West

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**From:** Luttrell, Natalie

**Sent:** Tuesday, 14 February 2023 9:30 AM

**To:** Michelle Apostolopoulos <[mapostolopoulos@woolworths.com.au](mailto:mapostolopoulos@woolworths.com.au)>

**Cc:** Georgia Danos <[gdanos@woolworths.com.au](mailto:gdanos@woolworths.com.au)>; Wendy Oldaker <[woldaker@woolworths.com.au](mailto:woldaker@woolworths.com.au)>

**Subject:** RE: WorkSafe Tasmania - Woolworths Smithton (Burst water pipe) (OUR REF: COM-2402)

Good morning Michelle,

Thank you for the update

Also, thank you very much for your cooperation with WorkSafe Tasmania with regard to this matter

I will up-date my Manager that the initiating issue of complaint is being managed in a 'reasonably practicable' manner

I note the offer to contact yourself or Wendy if WorkSafe Tasmania requires anything further

[NB: Just for information I note that the [Work Health and Safety Regulations 2022 \(TAS\)](#) have



been updated since our last contact. The primary change being Division 11 Psychosocial Risks ]

Regards

Worksafe WhiteLine



**Natalie Luttrell**

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**From:** Michelle Apostolopoulos <[mapostolopoulos@woolworths.com.au](mailto:mapostolopoulos@woolworths.com.au)>

**Sent:** Monday, 13 February 2023 12:26 PM

**To:** Luttrell, Natalie <[Natalie.Luttrell@justice.tas.gov.au](mailto:Natalie.Luttrell@justice.tas.gov.au)>

**Cc:** Georgia Danos <[gdanos@woolworths.com.au](mailto:gdanos@woolworths.com.au)>; Wendy Oldaker  
<[woldaker@woolworths.com.au](mailto:woldaker@woolworths.com.au)>

**Subject:** Re: WorkSafe Tasmania - Woolworths Smithton (Burst water pipe) (OUR REF: COM-2402)

Hello Inspector Luttrell,

Thank you for your email.

In terms of communication with the store team they are getting regular updates from the state team and are then sharing and talking to the current information at their daily standups, huddles boards and electronic communication platform workjam.

The team is encouraged to ask questions and share any concerns they have to be supported and addressed.

Next steps regarding rectification works;

- Affected area in the back of house remains isolated
- Reviewed and updated equipment to support back of house storage
- Landlord and Local Council ongoing engagement
- Landlord insurance company appointed contractor to complete works
- Landlord appointed engineers to ensure rectification works meet standards

An onsite meeting will be conducted in February (date to be confirmed) where all parties including the store leadership team will be involved to discuss and create an action plan for the works to be completed.

I have included Wendy Oldaker on this email as she is now the appointed Safety, Health and Wellbeing Partner for this store and will be assisting with this matter.

Please feel free to contact Wendy or myself if you require any further information or clarification.

Kind regards

On Wed, 8 Feb 2023 at 09:33, Luttrell, Natalie <[Natalie.Luttrell@justice.tas.gov.au](mailto:Natalie.Luttrell@justice.tas.gov.au)> wrote:

Good morning Michelle,

As noted in your correspondence of 29SEP22, are you able to advise progress on rectification works for the Smithton Woolworths location?

Are workers still being updated with relevant Work Health and Safety information in relation to the void when information is available at their daily stand-ups?

Regards

Worksafe WhiteLine



**Natalie Luttrell**

Inspector | Inspectorate North West

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**From:** Luttrell, Natalie

**Sent:** Thursday, 29 September 2022 5:16 PM

**To:** 'Michelle Apostolopoulos' <[mapostolopoulos@woolworths.com.au](mailto:mapostolopoulos@woolworths.com.au)>

**Subject:** RE: WorkSafe Tasmania - Woolworths Smithton (Burst water pipe) (OUR REF: COM-2402)

Received with thanks

**From:** Michelle Apostolopoulos <[mapostolopoulos@woolworths.com.au](mailto:mapostolopoulos@woolworths.com.au)>  
**Sent:** Thursday, 29 September 2022 4:06 PM  
**To:** Luttrell, Natalie <[Natalie.Luttrell@justice.tas.gov.au](mailto:Natalie.Luttrell@justice.tas.gov.au)>  
**Subject:** Re: WorkSafe Tasmania - Woolworths Smithton (Burst water pipe) (OUR REF: COM-2402)

Good afternoon Inspector Luttrell,

Thank you for taking the time to speak with me today,

As per our conversation the update on rectification works and time frames are still being processed and we are awaiting that communication from the landlord.

The store has been communicating with the team at daily standups, where they speak daily about the progress of this matter, the stand ups are used for communication of information and also an opportunity for the team to express any questions or concerns they have on the matter.

The store team has continued to build onto this foundation by training the team in hazard identification and using the systems we have in place such as Pulse to raise awareness and assist in rectifying issues they may identify.

As discussed, the communication of the most recent email sent by yourself, and the inspection report have been shared with the landlord, and as requested the rectification works and time frames will be communicated with yourself when available.

Please contact me if you require any further information  
Kind regards,

On Tue, 13 Sept 2022 at 12:36, Luttrell, Natalie <[Natalie.Luttrell@justice.tas.gov.au](mailto:Natalie.Luttrell@justice.tas.gov.au)> wrote:

Good afternoon Michelle,

Again thank you for the provision of the technical reports  
I have had an opportunity to read them and discuss with my supervisor  
I note that the reports do not specifically address risk to workers, they also do not appear to identify any imminent risk to the health and safety of persons at the site  
( I also referenced the Code of Ethics and Guidelines on Professional Conduct – Engineers Australia August 2022 and November 2021 on the basis that if there were an imminent risk it would have been advised and action taken)

I note that the site meeting between the landlords and engineers was set for Friday 2SEP22

- At this time are you able to provide a copy of any written update of proposed rectification works program and time frames?

- Are you able to provide a recent (preferably written) confirmation that workers at the Smithton store have been updated on any risks identified and proposed time frames for rectification works and how that might affect their day to day operations in due course (Consultation)
- I note from information received in other Woolworth store visits, that daily toolbox sessions or huddles are conducted by the store manager/s. Has the Store Manager been authorised to provide an appropriately scripted update for workers in relation to the real and perceived risks to their health and safety by the discovery of the void underneath the store. (refer to [Regulation 39 of the Work Health & Safety regulations 2012 \(TAS\)](#) in particular that the information provided is **readily understandable** )
- What other means of providing information to workers has been or will be adopted to mitigate the physical and psychosocial risks to workers at play at the Smithton Woolworths store site (e.g. noticeboards, emails, message, toolbox sessions, guidance on who to talk to about their concerns, EAP etc.).
- Is there a longer term documented plan by management to provide regular updates to workers in line with the intent of Regulation 39, how will that be achieved?

If you or Woolworths generally are in a position to provide the above information by 30SEP22 that would be appreciated

Any concerns or queries please let me know

Regards

Worksafe WhiteLine



**Natalie Luttrell**

Inspector | Inspectorate North West

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**From:** Luttrell, Natalie

**Sent:** Tuesday, 30 August 2022 3:33 PM

**To:** Michelle Apostolopoulos <[mapostolopoulos@woolworths.com.au](mailto:mapostolopoulos@woolworths.com.au)>

**Subject:** RE: WorkSafe Tasmania - Inspection report - Woolworths Smithton (Burst water pipe) (OUR REF: COM-2402)

Michelle,

Thank you for the provision of the reports

I will peruse them and consult with my Manager about next steps from a WorkSafe perspective

Regards

Worksafe WhiteLine



**Natalie Luttrell**

Inspector | Inspectorate North West

WorkSafe Tasmania | Department of Justice

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**From:** Michelle Apostolopoulos <[mapostolopoulos@woolworths.com.au](mailto:mapostolopoulos@woolworths.com.au)>  
**Sent:** Tuesday, 30 August 2022 2:07 PM  
**To:** Luttrell, Natalie <[Natalie.Luttrell@justice.tas.gov.au](mailto:Natalie.Luttrell@justice.tas.gov.au)>  
**Cc:** Georgia Danos <[gdanos@woolworths.com.au](mailto:gdanos@woolworths.com.au)>  
**Subject:** Re: WorkSafe Tasmania - Inspection report - Woolworths Smithton (Burst water pipe) (OUR REF: COM-2402)

Dear Inspector Luttrell,

Thanks very much for your patience as we sourced the information you requested in the Inspection Report from 24/08/2022

Attached is the expert report referred to during your visit at Smithton, as well as a geotech report from geotechnical consultants.

Our Property Team continues to work with the Landlord to rectify this matter.

There is a scheduled meeting on Friday 2nd of September at 11.30am with the landlord and engineers from Pitt&Sherry at the Smithton Store.

Please contact me if you require any further information.

Kind regards,

On Wed, 24 Aug 2022 at 16:47, Luttrell, Natalie  
<[Natalie.Luttrell@justice.tas.gov.au](mailto:Natalie.Luttrell@justice.tas.gov.au)> wrote:

Dear Mr Allan Poke,

Thank you for your time on Tuesday 23rd August 2022 to discuss and inspect the area affected by the burst water pipe

Please find attached the Inspection Report reflecting the site inspection observations and discussion

I made some enquiries and subsequently had a phone conversation with Ms Michelle Apostolopoulos (Safety Partner - Woolworths Victoria/Tasmania) in relation to the matter of Complaint

You should of course pass on this report through your usual chain of command/responsibility

I would appreciate the information requested in the 'Inspection Outcomes Summary' by close of business Wednesday 1<sup>st</sup> September 2022, or advice that a more formal request be actioned via a Notice

I have also included the model code of practice in relation to managing psychosocial hazards at work

It appears that concern about the safety of the workplace may potentially create a risk scenario of psychosocial hazard for workers

You may wish to give this scenario consideration in the risk profile for managing this matter

Yours sincerely

Worksafe WhiteLine



**Natalie Luttrell**

Inspector | Inspectorate North West  
WorkSafe Tasmania | Department of Justice

03 647 77160 | 0436 917 119 |  
[natalie.luttrell@justice.tas.gov.au](mailto:natalie.luttrell@justice.tas.gov.au)

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--

**Michelle Apostolopoulos**

Safety, Health & Wellbeing Partner - VICTAS Zone 2 & 6

**M** | 0484 942 801

**E** | [mapostolopoulos@woolworths.com.au](mailto:mapostolopoulos@woolworths.com.au)

[522 Wellington Road, Mulgrave Victoria 3170](#)

Mail Point: Mulgrave State Office

Wominjeka from Wurundjeri Land in the Kulin Nation

**We bring a little good to everyone, every day.**

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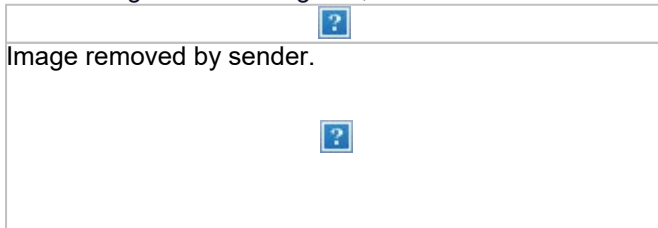
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Michelle Apostolopoulos  
**Safety, Health and Wellbeing Partner Zone 2&6**

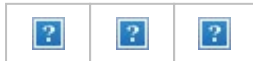
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--

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--

**Wendy Oldaker**

Safety, Health & Wellbeing Partner - VICTAS, Zone 2

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**A | 522 Wellington Road, Mulgrave, Victoria 3170**



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**Complaint Type: COVID-19 | COM-830**

Relates to: Woolworths Group Limited

**Description of Complaint**

Woolworths Legana - 10:45am to 11:20am this morning 12/01/20.

Hand sanitiser on entry not working. Notified staff member who said she'd filled it so it was okay. The staff member then went over to check it, saw that only a couple of drips were coming out each time, which was not enough to cover even sanitising two fingers, then walked away saying it was probably the batteries. "We're always replacing the batteries." was her end comment. On leaving the store 30 mins later, checked the hand sanitiser again and it was still not working and there was no back up bottle of sanitiser to use. Nothing had been done.

Covid distancing not being managed by staff or adhered to by customers. Large numbers of elderly people in the store, crowding each other at the checkouts and not one Woolworths staff member pulling them up. Had to ask a woman who pushed past me in the checkout aisle, what she was doing? She said "I said excuse me."... No thought whatsoever of Covid distancing and the people following in the checkouts were acting like there was no Covid. Don't recall hearing any Covid messages about distancing whilst in the store either, but that's probably not a mandatory thing anyway and may not have heard it over the din of the huge number of people in the store.

The Regis Elderly Care Village is across the road. If one person with Covid goes into Woolworths at Legana today, we're all in trouble.

**Inspector Comments**

Was the site visited?

Yes.

How severe were the injuries?

N/A.

What were the contributing factors to the incident?

N/A.

What was the root cause of the incident?

N/A.

Whether the duty holder was licensed or authorised to undertake the type of work involved?

N/A.

Had a risk assessment been undertaken?

COVID-19 Safety Plan.

What controls were in place at the time of the incident?

Hand sanitiser,

Markings on the floor.

Alerts issued throughout audio about social distancing in store.

What were the controls that should have been in place at the time of the incident?

N/A.

What remedial action has been taken by WST?

Suggested escalating issues with automatic hand sanitiser units to State Manager to find resolution.

What action has been undertaken by the PCBU following the incident?

Appropriate control measures are implemented when automatic hand sanitiser fails.

What is the source of the evidence?

Site visit.

Has the injured person been interviewed as part of the investigation?

N/A.

Recommendations:

At the time of my visit the PCBU had proactively implemented some control measures to attempt to minimise the risk of exposure to COVID 19 in the workplace.

NFAR.

**Complaint Type: COVID-19 | COM-1359**

Relates to: 6 Shoreline Dr, Howrah TAS 7018

**Description of Complaint**

Excerpt from email complaint -

When asked for a paper sign in it was refused. Staff, including the manager on Sunday 18th July, stated they are not using that any more due to privacy issues. They say the customer must use the phone app. No choice. This results in shoppers entering the store and not registering their presence.

This has happened twice within the past week that I am personally aware of.

**Notes**

This business is not captured in the schedule of premises listed in the current contact tracing direction and is not required at this time to provide a QR code or manual check in register.

**Complaint Type: Unsafe Practices, COVID-19 | COM-335**

Relates to: 111 Hobart Road, Kings Meadows TAS 7249

**Description of Complaint**

I attended the store around 3.30pm-4.00pm 9/9/2020.

There were a huge amount of people in the store. Nobody was monitoring the number of people in the store. Because of the volume of people – social distancing was poor. I waited at the checkout for ages and there were three people waiting behind me. Only 3 checkouts were operating. The service desk person (Donna) called priority response to the checkouts – a number of names were called (I counted four names). One person responded. The checkouts were congested. I made a complaint to Donna once I finally got served. She tried to get two different managers to come speak to me. They were all busy. She stated that she would pass my concerns on though, and that one of the managers contacted was generally good with feedback. I was reasonable, and Donna was understanding.

**Inspector Comments**

Who was involved?

Member of the public

What happened?

Rang Tas Police hotline concerns about social distancing.

When did it happen?

9 Sept 2020.

Where did it happen?

Woolworths Kings Meadows.

Why did it happen?

N/A.

How did it happen?

N/A.

Was the site visited?

Yes.

How severe were the injuries?

N/A.

What were the contributing factors to the incident?

N/A.

What was the root cause of the incident?

N/A.

Whether the duty holder was licensed or authorised to undertake the type of work involved?

N/A.

Had a risk assessment been undertaken?

Yes COVID-19 Safety Plan in place.

What controls were in place at the time of the incident?

Social distancing markers.

Hand sanitiser.

Trolley wipes.

Managers monitor density of customers in store.

What were the controls that should have been in place at the time of the incident?

N/A.

What remedial action has been taken by WST?

Site visit.

What action has been undertaken by the PCBU following the incident?

N/A.

What is the source of the evidence?

Site visit.

Has the injured person been interviewed as part of the investigation?

N/A.

Recommendations:

At the time of site visit PCBU was proactively implementing control measures to minimise social distancing issues.

NFAR

### **Team Leader Comments**

At the time of Inspector site visit, the PCBU had controls implemented for the management of COVID-19 in the workplace.

No further action required by WST at this time.

**Complaint Type: Unsafe Conditions, Unsafe Practices, COVID-19 | COM-240**

Relates to: 2 / 12 Legana Grove, Legana TAS 7277

**Description of Complaint**

Caller was waiting in line at checkout when the operator (Sharon?) had a prolonged coughing fit. She coughed without covering her face, turned toward caller and coughed at her several times, then coughed into hands and continued handling groceries. Supervisor on the next counter just laughed. Caller spoke to store manager Andrew(?) about it as she felt very uncomfortable and concerned at the complacency of the checkout operator.

**Inspector Comments**

Informed by Erika Patcos that refresher training will take place with the staff and they will monitor behaviour. As such, no further action is required by WorkSafe Tasmania.

**Team Leader Comments**

PCBU to provide refresher training to workers pertaining to COVID-19 controls.

No further action required by WST at this time.



**Complaint Type: COVID-19 | COM-1300**

Relates to: 230 Mount St, Upper Burnie TAS 7320

**Description of Complaint**

Caller states that an elderly lady went to Woolworths and didn't have a smart phone. She asked one of the staff members to register her or manually take her details. Staff advised that they can't do that. Lady was extremely upset.

**Notes**

This business type is not included in the schedule of premises under the current Contact Tracing No-6 direction. As a result a QR code check in is not required. Manual (written) checking in is also not required.

**Complaint Type: COVID-19 | COM-1482**

Relates to: 57 King Street, SANDY BAY, TAS, 7005

**Description of Complaint**

Woolworths Sandy Bay has deployed no staff members to remind people to check in when they enter the store and at least 50% of those entering the store walk straight in without registering. I have spoken to a manager about this problem but nothing has changed other than the deployment of a young staff member to help people with check in if they require assistance. She did not see it as her role to remind anyone and clearly lacked the confidence to do so anyway. This morning no-one was present to offer assistance. Since supermarkets are a major area for large numbers of people to mix the lack of ability to contact trace in the event of a covid outbreak is potentially a serious problem. A local service station asks clients to register when paying and achieves 90% compliance.

**Team Leader Comments**

Woolworths advised on control measures in place for above issue. No further action required by WST at this time.

**Complaint Type: COVID-19 | COM-705**

Relates to: 37 / 39 Maranoa Rd, Kingston TAS 7050

**Description of Complaint**

Complainant attended store on the 24/12/2020 and observed workers not undertaking social distancing.

**Inspector Comments**

Spoke to employee Isabelle who tried to transfer me through to duty manager, Dave. Dave did not answer the phone multiple times. Will contact between 7-4pm tomorrow to speak with area manager Mark.

Mark is not working today, spoke with Chris who is acting in his position. Chris is going to send through the Woolworths Covid-19 safety plan.

Phoned and spoke with Mark in relation to the complaint. Mark is going to follow up with Chris in relation to forwarding the Covid-19 safety plan.

Mr Mark Raymond provided screen shots of the Woolworths Covid-19 safety plan in relation to the complaint made about store staff (see COR-3792).

Based on the information provided I recommend no further action is required.

**Complaint Type: COVID-19 | COM-1520**

Relates to: 36-40 Wellington St, Launceston TAS 7250

**Description of Complaint**

I complained that the majority of people coming into the store were not using the check in Tas. procedure. I would say that about 90% were not in compliance.

I was told that the Woolworths staff were not responsible to ensure compliance and that it was up to the police to monitor this. I was told "call the police if you like."

The Tasmanian health website clearly states that business must monitor points of entry. This occurred about midday on 23August.

Thanks. [REDACTED]

**Notes**

Complaint to be referred to Business Tasmania.

**Complaint Type: COVID-19 | COM-1476**

Relates to: 78 Emu Bay Rd, Deloraine TAS 7304

**Description of Complaint**

Check in not being adhered to. Customers walking in without checking in.

**Team Leader Comments**

Woolworths advised of current control measures in place. No further action required by WST at this time.

**Notes**

Email sent to Rachel Eliot - Government Liaison, for Woolworths seeking information relating to the complaint.

**Complaint Type: COVID-19 | COM-1230**

Relates to: 2 Cooper St, Glenorchy TAS 7010

**Description of Complaint**

Check In Tas QR code was not operational, said link was invalid. Service desk offered no assistance or explanation. Reported via public health hotline.

**Notes**

18/06/2021 Supermarkets are not specified in schedule 1 of DIRECTION UNDER SECTION 16 (Contact tracing - No. 5) therefore are not required to provide contact tracing via the Check in Tas App. Complaint is closed.

**Complaint Type: Unsafe Conditions | COM-2357**

Relates to: 28 Green Point Rd, Bridgewater TAS 7030

**Description of Complaint**

Caller attended the Bridgewater store this morning and was appalled at the putrid stench. She spoke to the manager who said that staff had the option of going home. Apparently it is some sort of sewerage issue. Caller believes the store should be closed until it is rectified.

**Notes**

Spoke with store manager Kris Penney, who advised that there were blocked sewage drains external to the store. Plumbers had been onsite since 7 am this morning to rectify the issue.

**Complaint Type: COVID-19 | COM-1319**

Relates to: 79 Main St, Huonville TAS 7109

**Description of Complaint**

Either no check in Tas app sign or monitoring of check-in Tas app in Huonville area in Tasmania. There was no visible check in sign and when asked it was out the back of the business. - Woolworths in Huonville

**Notes**

This business type is not included in the schedule of premises under the current Contact Tracing No-6 direction. As a result, a QR code check in is not required.



**Complaint Type: COVID-19 | COM-1301**

Relates to: 230 Mount St, Upper Burnie TAS 7320

**Description of Complaint**

Woolworths Upper Burnie has no-one greeting customers to remind to sign in, I watched a 100 people walk in the store without stopping for a second, Woolworths needs to have a greeter to remind customers to use check in Tas or you need to put in place monitoring of the Upper Burnie store for blatant and constant non compliance.

**Notes**

This business type is not included in the schedule of premises under the current Contact Tracing No-6 direction. As a result a QR code check in is not required.

**Complaint Type: COVID-19 | COM-1318**

Relates to: 36-40 Wellington St, Launceston TAS 7250

**Description of Complaint**

Majority of people entering Woolworths are not checking in or signing in. Thought it is now a legal requirement to check in.

**Notes**

This business type is not included in the schedule of premises under the current Contact Tracing No-6 direction. As a result a QR code check in is not required.

**Complaint Type: Unsafe Conditions, Unsafe Practices | COM-2957**

Relates to: 57 King Street, SANDY BAY, TAS, 7005

**Description of Complaint**

To whom it may concern,

I wish to lodge a complaint about the two lifts operated by the Woolworths supermarket at 57 King Street, Sandy Bay.

Today I was trapped inside the No.2 lift with three other people for approximately 40 minutes until freed. One of the other people in the lift was an elderly lady who experienced a panic attack when the lift became stuck. Another occupant of the lift said that he had been coming to the supermarket for years and that the lifts were always breaking down, but this was the first time he had been trapped in one of them.

All four of us entered the lift from the carpark deck and were travelling down to the ground floor when the lift stopped working. I had only used the lift because it was raining and I didn't fancy using the stairs, which tend to be slippery when wet. Two of the other three passengers said that they were using the lift for the same reason. There are signs on the steps warning that they become slippery when wet but there is no evidence that any other action has been taken to mitigate the risk of someone slipping on them. One of the steps is damaged and in poor condition, creating an obvious hazard.

When we were freed from the lift I went to the customer service counter and asked to see the store manager so that I could make a complaint about the lifts. I discovered that lift No.1 was also out of order. Another gentleman at the service counter volunteered that he had been coming to the supermarket for 45 years and that the lifts had been unreliable for a number of years. I eventually spoke to a manager who must have been an assistant manager as she undertook to get the store manager to phone me on Sunday. The gentleman also asked to speak to the manager about the same issue because he relies on the lifts due to a temporary disability (his right arm was in a cast) and was alarmed at the frequency with which the lifts are breaking down.

When I suggested to the assistant manager that the lifts should be replaced she replied that it had been under consideration for some time. She explained that when one lift broke down, it put extra strain on the other lift, which tended to overheat and also break down. It was clear from her explanation that Woolworths is continuing to operate the lifts knowing that it is likely that one or both of the lifts will break down, trapping people inside. I can only assume they do this because temporarily closing the lifts would negatively impact on custom, in that people with mobility issues or large loads of shopping would be unwilling or unable to use the stairs from the carpark to the ground floor.

When I finished shopping and went back to my car (via the stairs) the No.2 lift had resumed operating without any warning being provided to customers that it is prone to breaking down.

It was inconvenient to be stuck in a lift for 40 minutes, but my main concern is for the safety of people using the lift. If the elderly woman in the lift had had a heart attack, instead of a panic attack, there would have been no way of getting medical assistance to her in time. It took a long time to get any answer on the emergency phone in the lift and the two women who eventually answered our calls kept telling us to try pressing different buttons, which we'd already done repeatedly, instead of

calling a technician. It was difficult for any of us in the lift to understand their instructions due to their accents, habit of speaking quickly, and the poor sound quality of the emergency phone.

Woolworths is clearly not doing everything practicable to maintain a safe workplace. Based on what I was told, I expect that the repair logs for the lifts will show that they have been unreliable for several years. Woolworths is a large, profitable public company that can afford to replace the lifts. The only plausible explanation for its lack of action to replace them is that it is choosing to put profit before the safety of its customers.

I would be grateful if an inspection could be conducted of the lifts and their repair logs to determine whether Woolworths is fulfilling its obligations under Tasmanian work health and safety legislation at its Sandy Bay supermarket.

Yours sincerely

[REDACTED]

[REDACTED]

[REDACTED]

M: [REDACTED]

### **Inspector Comments**

Information was collected via phone conversation (see notes below) and e-mail (COR-16803 & COR-16804) and the following conclusions can be made;

- Both the lifts are registered with WorkSafe Tasmania as per Reg 243.
- The lifts are maintained and serviced by Schindler Pty Ltd.
- Call outs are also made to Schindler in an event of lift breakdowns.
- PCBU has also confirmed that the stairs are not slippery but will carry out pressure cleaning to remove any product/matters on the stairs that might cause the stairs to be slippery.
- The lift is old but serviceable.
- A component of the lift is scheduled to be replaced and this should reduce the downtime.

Note: Complainant was briefed on the outcome of our investigation. (see notes below).

Contravention/s not detected and no further action required.

### **NOTES**

Spoke to Lorinda Geeves(Tel: 62274806), Asst Manager. Woolworths Sandy Bay on the 30/6/2023 at approximately 1550hrs. The following information was shared, and matters discussed.

- Two numbers of lifts available at the store servicing two floors.
- One lift has been unserviceable for over 6 weeks due to availability parts.
- On the day of the incident, as it was raining and the one working lift was heavily used causing it to breakdown.
- Store staff informed their HQ and the HQ put in a call to the lift company's(Schindler) 24hrs helpline.
- Schindler took it as a top priority job and mobilised a team to attend to the breakdown.
- Lift which broke down was shut down and resumed operations on Sat(24/6/2023) morning. In the afternoon on the same day, the lift broke down again trapping people inside. Schindler was activated again, and they attended to the breakdown releasing the trapped people.
- The lift was serviced and put into operations again on the morning of 26/06/2023 and has been working since.
- Lorinda was unable to provide information on service records, maintenance records, design & plant registration, etc.
- She advised me that she will get the relevant person in charge of facilities/equipment to get in touch with me.
- As she did not have the in-charge person's email on hand, I provided her with my email to pass it on to the in charge person.

## NOTES

I called [REDACTED] (complainant) on the 4/8/2023 at 1000hrs to update him on the status of his complaint; but my call was not answered.

[REDACTED] called back on the 4/8/2023 at 1138hrs and the following matters were discussed;

- [REDACTED] was advised that from our investigations, there were no contraventions detected.
- He was advised that the lifts were registered, maintained and safe to use.
- He raised concern that breakdown can lead people to suffer from anxiety or what happens if there is a medical emergency during the breakdown. He was advised breakdowns are not foreseeable.
- He raised question of lift replacement. I advised him that the building and lift belongs to a landlord and not Woolworths. Such a capital replacement would be a contractual matter between the tenant and landlord. WorkSafe Tasmania has no jurisdiction or influence on this matter.
- [REDACTED] went on to say he was at the same Woolworths outlet yesterday and one of the lift was unserviceable.

[REDACTED] thanked me for the update and the call ended approximately at 1143hrs.

**Complaint Type: COVID-19 | COM-1220**

Relates to: 230 Mount St, Upper Burnie TAS 7320

**Description of Complaint**

The Check in Tas App in the said store is not operational at all. I reported it to the lady in the check out counter & she just confirmed to me that it's really not working.

**Complaint Type: COVID-19 | COM-1538**

Relates to: 78 Emu Bay Rd, Deloraine TAS 7304

**Description of Complaint**

Deloraine Woolworths supermarket. Not complying with monitoring Tas e check in lots of people are not checking in and it is not being monitored. Confirmed with Leigh that it is Woolworths and not Coles.

**Notes**

Matter referred to Business Tas.

**Complaint Type: COVID-19 | COM-1410**

Relates to: 2 / 12 Legana Grove, Legana TAS 7277

**Description of Complaint**

Covid check in has the wrong suburb and postcode and has been like that for weeks.

**Inspector Comments**

Attended at the workplace and met with Customer Service Manager Sharon Reid, as a result I can report:

- The reference to 7216 is not a post code, but the store number
- Lagana spelling of the location is incorrect
- The management will contact Business Tasmania for a replacement set of QR codes with the correct spelling of the location



**Complaint Type: COVID-19 | COM-1456**

Relates to: 51 George St, New Norfolk TAS 7140

**Description of Complaint**

Sign-in sheet for customers who cannot sign in using the COVID App, is not easily available. Customers are forced to mingle at the front door of Woolworths where there is very little space to stand and wait quite some time for a sales assistant to be available to get the sign-in sheet from behind the counter. The front door entry area is also the exit door, service counter and trolley rack. Customers are held up and unable to keep their distance, so many are deciding not to bother waiting. New Norfolk has a low-income demographic so many people do not have phones at all. Also, when a sign-in sheet is finally produced, the pen used for signing in is not sanitized.

**Team Leader Comments**

Woolworths advised of current COVID control measures. No further action required by WST at this time.

**Complaint Type: COVID-19 | COM-1946**

Relates to: 78 Emu Bay Rd, Deloraine TAS 7304

**Description of Complaint**

Employee of Woolworths Deloraine. 8th January 2022, 5-6am - Cleaners and Bakery Department Team Members not wearing face-masks whilst preparing food for the day and they do not have exemption. I had addressed this issue with Manager Tracey prior a week early and she said the matter had been addressed but team members had continued the behaviour. I then left work for the safety of myself, called the manager about it around 9am when she got there and she said the matter would be addressed however I am afraid of repercussions for leaving but the law is not being followed at my workplace. I felt I had no other option, and will not be forced to work in the same building as employees and management not following the law when I have to abide by customers not wearing masks.

**Inspector Comments**

Conversations with [REDACTED] on the 11/01/2022 at 15.21.

- Discussed if [REDACTED] was happy for the reason of the inspection to proceed under the complaint or if he preferred the inspector to state a random inspection.
- Has had confirmation from his manager that this will not happen again.
- [REDACTED] has informed the Group Manager of the incident.
- The behaviour of the workers has changed and they are now wearing masks while indoors.
- [REDACTED] stated that he is happy to withdraw the complaint.

**Team Leader Comments**

22/02/2022: Complainant has advised that the matter has now resolved and that he wishes to withdraw his complaint. No further action required by WorkSafe Tasmania at this time.

## Complaint Type: Unsafe Conditions | COM-1557

Relates to: 192-196 New Town Rd, New Town TAS 7008

### Description of Complaint

Caller states that she and her daughter were leaving Woolworths via the Travellator with their trolley. The brakes on the trolley failed and her daughter was squashed between their trolley and another on the travellator. Her daughter sustained some facial cuts. A volunteer from Legacy was on the lower level and helped to remove the trolleys from the travellator. He mentioned that he has seen the exact same thing several times in the last week. The caller had notified the Manager of Woolworths, Gayleen, of the incident and she said she would take the trolley out of service. Caller would like some feedback on the matter.

### Inspector Comments

I attended Woolworths shopping Centre on New Town Road with Inspector Gareth Hinds on the 10th of September 2021.

Inspector Hinds and I met with a person who identified herself as Caitlyn Carson (6227 4821) Inspector Hinds and I identified ourselves as Inspectors under the *Work Health and Safety Act 2012* and explained the nature of our visit.

Caitlyn informed us the PCBU Gayleen (0439 361 569) was on leave and the relief manager Nicole Smith (6227 4821) was in a meeting for the afternoon.

Caitlyn advised although there were no managers available to speak with, she and the other staff were well aware of the process of trolley checking and tag out/maintenance procedures and was happy to run Inspector Hinds and myself through their process and procedures.

- Caitlyn showed us how the trolley brakes work and how they are inspected weekly on Wednesday mornings for brake pad and wheel wear before opening of business and that if the red brake pads show a black strip (replacement due) then they are tagged out and taken out of service and a trolley maintenance technician is called in and replaces the brake pads before the trolleys are returned into service.
- Caitlin showed us how the trolleys have a sticker on them indicating when the brake pads were last replaced and they keep maintenance logs and reports on the servicing of the trolleys which she was happy to request for us through her manager.

The PCBU is taking steps to identify hazards and manage risks to health and safety in the workplace so far as is reasonably practicable by:

- Training staff how to inspect all trolleys weekly every Wednesday morning before opening
- Training staff to identify when brake pads require replacement
- If brake pads or wheels require replacement trolleys are tagged out and removed from service immediately
- A competent person (maintenance technician) replaces the brakes/wheels before removing tag and returning the trolley/s into service
- All trolleys have service stickers indicating when they were last serviced
- Service logs and reports are kept by management
- maintenance requirements are discussed and reviewed with staff to ensure current control measures continue to be fit for purpose

- Multiple signs placed at entrances and exits of the moving walkways clearly stating all safety precautions that must be adhered to when using trolleys on the moving walkways.

I have spoken to the notifier in regard to this complaint and the reasonable measures being taken to manage the risk to health and safety arising from use of trolleys, explained to her that in this instant this was not a 'notifiable' incident and thanked her for bringing the matter to our attention.

This was not a notifiable incident.

Recommended no further action be taken.

**Complaint Type: COVID-19 | COM-1246**

Relates to: 192-196 New Town Rd, New Town TAS 700

**Description of Complaint**

Non-compliance in not encouraging/checking whether anyone has check in to Tas Check In QR code.

**Notes**

24/06/2021 Supermarkets are not specified in schedule 1 of DIRECTION UNDER SECTION 16 (Contact tracing - No. 5) therefore are not required to provide contact tracing via the Check in Tas App. Complaint is closed.

**Complaint Type: Unsafe Practices, COVID-19 | COM-379**

Relates to: Eastlands Shopping Centre 1 Bligh Street, Rosny Park TAS 7018

**Description of Complaint**

Been into store twice this week - neither time has there been any sanitiser in their automatic dispenser - staff just shrug.

**Inspector Comments**

Woolworths have automatic hand sanitiser dispenser working at entrance, along with 3 bottles of hand sanitiser at the entrance and on the self-serve checkout.

NFAR

## Helpline Enquiry – ENQ/18/172

"Tuesday, 6 February 2018 at 10:05:25 AM (GMT-11:00) Hull, Geoffrey (Mr):"  
In spoke with the store manager Mr Troy LADUKE and corresponded with him via email attached to this ENQ. NFAR

"Monday, 5 February 2018 at 4:38:14 PM (GMT-11:00) Armsby, Malcolm (Mr):"  
Forwarded to Geoff Hull.

"Monday, 5 February 2018 at 4:21:30 PM (GMT-11:00) Armsby, Malcolm (Mr):"  
Allegation of unhealthy, unsafe.... workplace.  
Coles New Town 1 Risdon Rd, New Town TAS 7008 Phone: (03) 6228 0146

See attached doc & pics.

DOC/18/8803

DOC/18/8796

DOC/18/8793

DOC/18/8791

DOC/18/8573

Complaint Type: Unsafe Conditions, Unsafe Practices | COM-1745 - 2 Nov 2021  
 Relates to: 16 Reibey St, Ulverstone TAS 7315, Aust and/or Coles Supermarkets Australia Pty Ltd

## Description of Complaint

I work at Coles Ulverstone my complaints are. Allowing new starters to not wear safety footwear in a mandatory footwear position because of supply issues. I don't think this is acceptable and is an unsafe issue. They have a memo stating that it is acceptable to do this, or if you come from another role that you don't have to wear safety footwear it is acceptable to work in a mandatory footwear area temporarily. I don't think this is worth the paper it is printed on and not acceptable. They are also allowing new starters to work without first giving them an induction. The area that they unpack the loads in is so overcrowded that they block the main safety route out of the building in case of an emergency. The roof in the building leaks that bad they have to place containers to catch the water, this poses a risk to staff and customers. Please investigate these matters as I see this is my duty of care to inform you of these practices Yours faithfully [REDACTED]

## Inspector Comments

Inspector Natalie Lutterell and I arrived on site at 13:30 on the 17th of November 2021. Mr. Tayus Cook (Manager) soon arrived and I introduced myself and Inspector Lutterell. Once in his office I explained that we had received a complaint regarding the non-wearing of safety boots whilst working in a mandatory safety boot area, induction issues, exit door obstructions and water leaking into the store.

Regarding the alleged non-compliance with the wearing of Safety Footwear. The areas are outlined in the Safety Footwear frequently Asked Questions. A review of this document, dated Nov 2021 (EVI-5356) that was supplied by Mr. Cook, does explain that those who work in eligible areas and who conduct eligible activities, such as receiving stock, are required to wear safety footwear that meets Australian Standard requirements AS/NZS2210.3  
 As paragraph 2 states;

(EVI-5356) *Who needs to wear safety shoes?*

- *Team members and managers working in the following base departments will be entitled to receive this footwear: Grocery, Dairy, Fresh Produce, Coles Services, Online, Meat and General Merchandise*
- *team members that complete receiving duties with a license to receive but are based in a non-eligible department.*
- *Team members that have completed Rapid Cross Skilling and Meat Operations training but are based in a non-eligible department.*
- *They must source and purchase their own safety footwear (that meets Australian Standard AS/NZS 2210.3).*

Suitably trained team members who are based in non-eligible areas, but are required to work in the eligible mandatory areas on occasion, are required to wear safety footwear when doing so. It is suggested that even if these team members are based in non-mandated areas they should still wear their safety footwear in case they are required to go from non-eligible to eligible areas to work. Without safety footwear they are not be permitted to work in the mandated areas.

(EVI-5356) Paragraph 15 states;

*Is it mandatory to wear the safety footwear if I work in multiple departments but my base department is not eligible for free safety footwear?*

- *Team members that have completed Rapid Cross Skilling and Meat Operations training but are based in a non-eligible department should wear safety footwear*



- *Team members are able to purchase their own pair through Coles at the discounted corporate if they wish, via [mycoles>mywork>myteamaddress>Supermarkets Store Team Members or Coles Services>Click Here](#).*
- *Choosing not to do this will not impact your ability to take shifts across multiple departments.*

There was no evidence found during the inspection indicating team members who were working in the mandated safety footwear area did not wear safety boots.  
I recommend no further action required regarding the safety footwear.

Regarding the alleged issue of inductions not being done.

I have received the process, with examples, in regards to what is required by Coles during their induction process (COR-8509) from the manager, Mr. Cook. During the inspection it was noted that 3 new staff members had completed all their modules however they were not signed off by their line manager at the time. This appears to be a record keeping issue and not an operational one. Mr. Cook informed us that the likely reason for this is that the responsible line manager was away on annual leave. He also informed us that the normal process is to reallocate the team member to another manager if the responsible line manager is not available. This did not happen for the 3 cases mentioned above. Mr. Cook has given an undertaking to have this remedied and to make other managers aware of their duty. The ability to re-assign to another manager is listed in the 'Safe Work Practices Sign Off' at the bottom of the form (EVI-5360). A follow up inspection should be conducted in the near future.

As there were no other issues at the time of inspection I recommend no further action required.

Regarding the leaking roof.

Mr. Cook has provided documentation in the form of a copy of his most recent request (EVI-5359) for the roof to be repaired.

This is dated November 3rd, 2021. As management (Mr. Cook) of Coles Ulverstone appears to have practical remedies (leaks are treated at the time and suitable warnings are constructed) to cope with the water associated with leaks until a permanent remedy can be found (INS-6159). A follow-up inspection will be conducted.

Recommend that no further action (other than a follow up visit) be required.

Regarding the Exit in the loading bay.

During the inspection the exit door nearest the loading dock was free of obstruction. This is the door that was in question. Floor markings are in place however have degraded enough to warrant replacing. Mr. Cook has provided evidence that he has requested to have the floor paint addressed (EVI-5359). There are several other lighted exits in the area within approximately 30m of the one in the loading bay. These appear to be in good condition. A follow up inspection should be conducted in the near future.

Recommend no further action required

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## Team Leader Comments

Site visit undertaken and information and advice provided to PCBU. No further action by WorkSafe Tasmania at this time

**Complaint Type: Unsafe Practices | COM-660 – Notification date 15 Dec 2020**

Relates to: 1 Bligh St, Rosny Park TAS 7018, Australia and/or Coles Supermarkets Aust Pty Ltd

**Description of Complaint**

Caller is a carer for a blind lady that he regularly takes to Coles supermarket every week to do her shopping. Every week there are numerous pallets, cages full of stock or items in the middle of the aisles for unpacking by staff. Sometimes these are being unpacked when they are in store and on 2 occasions now a staff member has hit his blind client with stock that is being moved about the store for unpacking. He has spoken to management about the issue and recommended that it should be restocked after hours for the safety of customers but it has fallen on deaf ears. Would like some follow up with an inspector on the matter as he fears for the safety of his client.

**Inspector Comments**

The PCBU has been able to supply its risk assessment and SOP around the restocking of shelves utilising the roll cage (refer to EVI-2706 and EVI-2709).

Based on the information provided to date, I am of the view that the PCBU is managing the risk through the attached risk assessment and SOP.

It is important to note that in my various visits to Coles at Rosny, I have not observed pallets being left unattended. I have observed roll cages being used, however I observed that they appeared to be used in accordance with the attached risk assessment and SOP.

Unless further evidence comes to light suggesting this is a systemic issue within the store or within all stores, I recommend no further action at this time.

## **Complaint Type: Unsafe Conditions | COM-2332 - 6 July 2022**

Relates to: John Street & Channel Highway, Kingston TAS 7050

### **Description of Complaint**

Unsafe walkways at Coles Kingston in the cold/freezer aisles. Loaded up with pallets full of stock. See attached.

### **Inspector Comments**

Attended site 12/7/22 at 1017 and spoke to Coles Manager, Tyler SHAW.

I had a conversation with a person who identified themselves as **Tyler SHAW, Manager**; around the types of controls that have been implemented in reducing the risk and preventing the spread of COVID-19. I also stated that there had been a complaint, in relation to unsafe walkways in the cold/freezer aisles.

#### **In relation to COVID-19 at the time of my visit, I observed / confirmed the following controls had been implemented:**

- Social/physical distancing and or floor area markings;
- Improved ventilation and or air purifying (where applicable);
- Density/capacity limits managed (signage optional);
- Facial masks (where applicable);
- COVID-19 signage;
- Hand sanitiser available for use by customers;
- Cleaning and disinfection of high contact areas and surfaces;

#### **At the time of my visit, the safety issues that were observed and were discussed such as:**

- Have any risk assessments been conducted about unpacking stock safely?
- Is there any policy, procedure and or documentation about unpacking stock safely?
- Are there any safe work procedures for unpacking stock safely?

**Tyler SHAW** discussed the complaint and advised the following safety measures such as:

- Frozen stock is only ever left out for 20 minutes.
- Stock is unpacked during 7-10 am and 7-10 pm (during the quietest times).
- 4 teams members undertake this duty.
- Preferred method of bringing out stock is on the roll cage trolley.
- The roll cage trolleys are only ever stacked up to shoulder height so that the staff member can see over the stock.
- Back straps are used to tie down the load securely on closest side to the shelf that is being stocked.
- Very rarely are pallets brought out to the floor area, only in the instance that store is over stocked and items won't fit in fridge/freezer out the back of the store.
- The use of signage and bollards may be incorporated.
- A team meeting will be held to raise this potential safety issue.
- Further documentation will be sent in relation to safely unpacking stock and COVID-19 safety.

#### **Advice provided, recommendations, areas of improvement that may be implemented, rectified and or adhered to:**

- COVID-19 Safety Plan;
- Cleaning register/schedule;

**Tyler SHAW has given an undertaking to address and provide further evidence of these safety area's of improvement, such as:**

- The use of signage and bollards that may be incorporated when unpacking stock.
- A team meeting will be held to raise the potential safety issue.
- Further documentation will be sent in relation to safely unpacking stock and COVID-19 safety.

No contraventions detected in relation to COVID-19 at the time of my visit, however further action may be required for compliance with Public Health.

At the time of my enquiries NFAR in relation to the unsafe walkways matter and areas of improvement as specified above are in the process of being addressed.

Further documentation from PCBU has been received in relation to COVID-19 and safety around unpacking stock.

Awaiting closure by TL M GRANT and or any further action/direction required.

### Team Leader Comments

I agree with the Inspector's assessment. The PCBU has controls in place to reduce risks as much as reasonably practicable. No further action required at this time.

## Complaint Type: Unsafe Conditions | COM-2550 - 1 Nov 2022

Relates to: 102 - 104 Hobart Road, KINGS MEADOWS, TAS, 7249

### Description of Complaint

Ex worker [REDACTED] is alleging bullying type behaviour that remains unresolved. Issue/s were reported but not managed effectively.

### Inspector Comments

#### Complaint Synopsis:

Over a number of months during 2021 the complainant [REDACTED] was a casual employee with 3 hrs per week, who had sought to do additional shifts with the online department and was eventually told by management they wanted her to stay in the grocery department. In Feb 22 she was working with a colleague who was complaining that he wasn't getting enough hours and that they are getting rid of us. This type of engagement continued in Mar 22 with the colleague indicating he wants to 'neck himself'. This was upsetting and she complained to her line manager, indicating she didn't want to work with that person. The Night-fill manager indicated he'd take care of it and on her next shift she was still on with that individual. At that point she left work without completing the shift. This resulted in being counselled.

Coles was also recruiting for part-time staff at the time which restricted the number of shifts [REDACTED] was given as a casual employee. This further upset [REDACTED] who wanted to be permanent. The situation occurred again where [REDACTED] walked out on a shift and an ongoing text /telephone engagement occurred between the Store Manager Cris LEESON and [REDACTED]. [REDACTED] was taking advice from a third person in relation to the situation and threatening legal action, media action over the reduced hours.

LEESON was requesting [REDACTED] attend a meeting in relation to the absenteeism, offering union assistance. [REDACTED] was unable to attend and offered her resignation via text, indicating she had found a permanent position elsewhere. [REDACTED] subsequently submitted a complaint to WorkSafe.

#### What was the method of enquiry - site visit, telephone enquiry, or other?

Site visit and telephone enquiry

#### What were the Inspector's findings in relation to the matters of complaint?

Poor communication between staff and management led to the complainant expecting to be moved to a part-time contract and staff banter and complaining making the workplace unpleasant.

The complainant left work before the end of her shift on a number of occasions and was not receptive to counselling on the issue.

Coles has the appropriate policies and procedures in relation to inappropriate behaviour or bullying, however on this occasion the process for making a complaint was not understood.

A range of social media communications means were used that led to incomplete conversations and confusion on the issues, leading to the complainant getting upset and saying or doing things that she later regretted.

#### Were any contraventions of the legislation identified? (Detail)

No

#### What safety improvements, if any, were identified (which did not amount to contraventions)?

Coles has the appropriate policies and procedures in relation to inappropriate behaviour or bullying, however on this occasion the process for making a complaint was not understood.

#### What action has been taken and/or proposed by the PCBU in relation to these matters?

As the complainant had resigned 4 months prior no further action with complainant, however engagement with union rep of future issues.

**What action has been taken by WST in relation to these matters?**

Liaised with both management and the complainant

**Have Notices been followed up to ensure compliance?**

N/A

**If requested, has feedback to the complainant been provided?**

Yes by telephone

**Recommendations:**

No further action

**Complaint Type: COVID-19 | COM-1210 - 8 June 2021**

Relates to: Cole St, Sorell TAS 7172, Australia and/or Coles Supermarkets Australia Pty Ltd

**Description of Complaint**

Caller, former employee of WorkSafe Tasmania, wishes to lodge a complaint because Coles Supermarket does not have a QR Code. I explained to him that legally retail stores are not required to have a QR code but he believes that because the Premier is encouraging retail stores to adopt a code, then Coles Sorell should do so.

**Inspector Comments**

The PCBU provided information that indicated risk controls in place as reasonably practicable.

At the time of inspection, COVID-19 controls were observed.

**Team Leader Comments**

The PCBU has reasonably practicable controls in place to reduce the likelihood of reoccurrence. No further action required at this time.

## **Complaint Type: Unsafe Conditions | COM-2303 - 22 June 2022**

Relates to: 86 Best St, Devonport TAS 7310, Australia

### **Description of Complaint**

Coles Devonport is currently having some renovations done. Caller states that some floor tiles have been ripped up and there appears to be the black glue remaining which concerned the caller as she thought it may have been asbestos.

### **Inspector Comments**

23/06/2022 at 1235 hours, I entered the above site location to undertake an inspection following a complaint of possible asbestos containing material present in the store. I was met by Katrina Jackson store manager, Katrina provided information of the works taking place in the store and stated Insitu Group were the principal contractors for the works, and I was met by Adam Wolff project manager for the scope of works.

Adam provided information on the works taken place in the store, Adam states a Division 6 report had been undertaken prior to work commencing, the report was known to have come back with no asbestos present in the store. During demolition of the tiles in isles of the store Adam states the engaged contractor B and C floors raised their concern of what look to be asbestos containing materials (ACM) under the tiles that were being removed, a glue containing asbestos known as "black Jack".

Insitu made contact with State-wide Asbestos Solutions, samples were taken of the ACM. Negative and positive results were detected throughout different parts of the store. A hygienist who provided the initial Division 6, then took samples from different parts of the store. The client Coles Devonport also had a separate hygienist take samples, Insitu are still awaiting results.

The task of demolition of the tiles has been placed on hold, Insitu are awaiting on direction from the client Coles on how they would like to proceed moving forward. A plan will then be put in place on how to safely proceed with the demolition task.

Photos were taken of the suspected ACM. EVI-6831

24/06/2022 at 0930 hours I entered the above site location with Senior Inspector Michael Rawlings - a meeting was arranged and we were met by Adam Wolff. We observed what looked to be grinding marks on the concrete floor in the aisles of the store where the demolition had taken place, Adam states the marks were there when the flooring was bought up, Adam is unaware on the exact procedure for the demolition removal of the tiles and states the night manager is in charge of this.

Adam states the tiles that have been removed so far look to have been laid with a different adhesive other than black jack, during testing this glue has so far came back negative to ACM. Adam states that Coles have an asbestos register but he has not sighted this personally, it may have been sighted by another employee of Insitu.

Adam then took us to meet with Declan, manager for Coles in store at the time. Declan provided us with a hard copy of Coles Hazardous Materials Register, this was due for revision in 2008 - WorkSafe Tasmania are yet to see the current version.

24/06/2022 Inspection report sent to Insitu Group refer to COR-11572

24/06/2022 Inspection report sent to Coles refer to COR-11571

24/06/2022 phone call to Coles Construction Manager Tas/Vic Victor Cini

Victor states he agrees to supply all the requested information in the inspection report, all demolition work is on hold until such time the ACM sample results are available, Coles will then make a decision on what the scope of works looks like moving forward.



27/06/2022 requested information received from Victor Cini. EVI-6830

01/07/2022 1211 hours phone call to Victor Cini - Victor ran over his proposed plan that is still in draft, he stated he will provide WorkSafe with the plan for the removal of tiles prior to commencement of work.

01/07/2022 Phone call from Steve Parker to Inspector Michael Rawlings - stating asbestos removal scheduled to started Wednesday night 2100 hours. AR1 and AR2 to be submitted 01/07/2022

01/07/2022 Requested information provided - refer to EVI-6838, COR-11697

04-01/2022 AR1 and AR2 received via email from Steve Parker- Statewide asbestos refer to COR-11699

Spoke with Amanda C. She advised we were not required to attend the asbestos removal work, as it was starting at 2300 hours.

Coles Supermarkets construction team Victor and the Principal contractor Insitu have taken all measures necessary to ensure the works are completed safely.

No further action required at this time - I have agreed to stay in contact with Coles, Insitu Group and Statewide Asbestos Solutions during the stages of this project.

**Complaint Type: COVID-19 | COM-565 - 18 Nov 2020**

Relates to: 1 Risdon Road, New Town TAS 7008

**Description of Complaint \***

Excerpt from written complaint - I have shopped at the Coles New Town store a number of times since it recently re-opened following refurbishment. On more than one occasion there has only been two checkouts open and they have been side-by-side whereby customers are rubbing shoulders with each other as they checkout (i.e. social distancing at this point is non-existent). There are 10 checkouts available but the store chooses to open two side-by-side. I raised this with the manager (Joshua) today and the response was "if I don't like it then go shop somewhere else". Obviously, a simple solution would be to open checkouts 1 and 10 or 2 and 9 etc to allow customer to socially distance. I am lodging this complaint on the grounds that Coles Supermarkets - New Town are not being Covid safe at the point of checkout by not facilitating social distancing for customers by opening checkouts side-by-side when other checkouts are available.

**Inspector Comments**

Site visited, inspection report sent to PCBU.

Contacted Knight Frank - Craig Connell - Centre Manager - 0404 425 831  
Discussed installation of 'stop- don't enter' type signage at the Centre entry points  
Craig indicated he was aware of COVID site and will review updated posters

**Complaint Type: Unsafe Practices | COM-2609 - 1 Dec 2022**

Relates to: John Street & Channel Highway, Kingston TAS 7050

**Description of Complaint**

Caller [REDACTED] complains that Coles Supermarket at Kingston unnecessarily blocks exits by placing grocery trolleys in checkout lanes. They usually place two trolleys together with their brakes on and then tie the two trolleys together.

[REDACTED] said that Coles usually do this in mornings and evenings. He is concerned that in the event of a catastrophic incident - fire, terrorist attack etc. that it would be very difficult for customers to successfully escape from the supermarket in the resultant panic. There is only one other (off-centre) exit available.

[REDACTED] has tried to raise the issue with a supermarket employee who could not see the point. He also said that Woolworths used to do the same thing but ceased about 6 or 8 months ago.

**Inspector Comments**

Enquiries into COM-2609 began on the 15 December 2022 in relation to trolleys blocking checkout lanes within the Coles Kingston store. I attended site to initiate inquiries and assess potential contraventions under s.40 of the *Work Health and Safety Regulations 2022*, specifically how the workplace is maintained so as to allow for persons to enter and exit and to move about without risk to health and safety, both under normal working conditions and in an emergency.

INS-9454 was conducted and revealed the exit and evacuation routes dictated in EVI-7958. The Evacuation Sign and Diagram depicted here showed that the alternative evacuation route went through the checkout lanes which were being obstructed by trolleys and a belt during morning and evenings due to the risk of theft. To mitigate this risk the workplace had changed the alternative route to the checkout lane next to this area for egress and it was demonstrated to me the quick and easy disassembly of the trolley and belt process in other checkout lanes if required.

I was satisfied that egress options were reasonable and remained available and reiterated to the workplace to continually evaluate their risk assessment towards trolleys in checkout lanes and communicate and update the alternative evacuation route change to staff and on the diagram.

I advise NFAR at this point in time.

**Team Leader Comments**

I agree with the Inspector's assessment. Controls have been implemented to reduce the likelihood of reoccurrence. No further action required at this time.

## **Complaint Type: Unsafe Practices, COVID-19 | COM-228 - 3 Aug 2020**

Relates to: 246 Sandy Bay Rd, Sandy Bay TAS 7005

### **Description of Complaint**

Caller states that trolleys are not being cleaned in between customers and wipes are hard to see. This has changed from the start of the pandemic when the cleaning was occurring. Staff have said they are doing the best they can, but she doesn't think it is adequate.

### **Inspector Comments**

During my visit, I had a conversation with Mr Townsend around the types of controls that have been implemented in order to prevent the spread of COVID-19. Mr Townsend explained that the dedicated person who was cleaning trolleys and baskets was removed as directed from Head Office. Mr Townsend said that there is a cleaning schedule in place and when trolleys are collected they are cleaned, there is also floor decals directing customers to use the sanitise wipes on the trolleys and baskets.

In regard to COVID-19, I observed/confirmed the following controls have been implemented:

- PCBU has provided amenities for personal hygiene and infection control
- Sneeze screens in place at registers
- Registers have a reminder on screen every 20 minutes reminding workers to clean hands and registers
- PCBU undertakes a weekly 'huddle' to discuss any changes in relation to COVID-19
- PCBU has provided cleaning products, instructions and appropriate PPE for cleaning counters, tills, phones, terminals and self serve registers
- PCBU has increased cleaning and disinfection of high contact areas and surfaces
- PCBU has placed reminders and cues about physical distancing, personal hygiene
- PCBU has calculated the number of persons who may be inside the workplace at any one time at 130
- PCBU has implemented floor markings that provide minimum guide distances between queuing customers
- PCBU, where possible, rotating tasks to ensure that not one worker has all the contact with customers
- PCBU is encouraging cashless transactions
- PCBU is set up for online trade and has a dedicated 'click and collect' point where customers are responsible for placing items from trolley to vehicle
- PCBU provides a break room for workers and allows for social distancing and staggered breaks
- Workers stocking produce wear high vis vest with a reminder on the back of social distancing

**Complaint Type: Unsafe Practices | COM-3130**

Relates to: Coles Supermarkets Australia Pty Ltd

**Description of Complaint**

Complainant is asking the WHS Regulator to act 'proactively' to address acute/chronic risk of injury to workers from being required to return trolleys from car park to the supermarket.

She has described 'trolley trains' particularly at Smithton, Burnie and Deloraine where she shops.

Complainant has communicated her experience as a Nurse and understanding of equipment that should be used to ensure workers are not injured.

**Notes**

Effective Date 01/12/2023 09:48

Review of open complaints has identified that this complaint had not been transitioned to the triaged state by Helpline at time of lodgement.

**Complaint Type: COVID-19 | COM-1436**

Relates to: 387 / 393 Main Rd, Glenorchy TAS 7010, Australia

**Description of Complaint**

No manual Check-In for members of the public without mobile devices, Staff unaware of requirements under Check-In

**Team Leader Comments**

Advice received from Vittotia BON of Coles confirming that all stores are displaying QR codes at the entrance, throughout the store at sanitiser stations and at the check-out to enable customers to use the QR Code at any time during their shop, not just on entry. Coles provide these options to customers to avoid crowding/queueing when customers are entering the store. We also play messages throughout the day on Coles Radio, encouraging customers to use the QR Code.

NFA

**Complaint Type: COVID-19 | COM-1531**

Relates to: 1 Risdon Road, New Town TAS 7008, Australia

**Description of Complaint**

Person was unloading their groceries on the conveyer at the checkout (number 8) the worker at this register was coughing continuously.

Issue was raised with the manager onsite (Maksud) who eventually moved the individual, however another manager stated that they couldn't do anything about the issue as the workers agreement prevented them moving the worker to another location in the store away from customers. Despite the risks of Covid 19 and that coughing could be one of the indications of being unwell, the store appeared to be reluctant to do anything about this issue stating they couldn't send them home or to get a Covid test.

**Complaint Instructions**

The complaint details indicate that this is not a matter which would WST attendance given the current priorities. No further action required at this time.

**Complaint Type: COVID-19 | COM-1305**

Relates to: John Street and Channel Highway, Kingston TAS 7050

**Description of Complaint**

Attended Coles Supermarket in Kingston yesterday (5 July). Noted the Covid Check In and filled it out. As I was doing so, 5 people passed me into the premises and did not check in. Continued on with shopping. Noted while in the queue to exit, people continued to enter the premises without checking in. On exiting, I suggested to a staff member that people needed to be reminded to check in and the response was that they could not force people to do so. I suggested that a sandwich board at the entrance might draw people's attention to needing to check in, and again, was met with the response that staff cannot force people to check in. As there are multiple check in QR codes at the entrance, it should not be an issue of delaying entry. After returning to my car with the shopping, noted missing an item, went back in, again used the QR code, and again, people continued to enter the store without checking in. Now, either Coles are not instructing their staff correctly or they are ignorant of the rules, which is a bit difficult to swallow at this point in the pandemic. Can you do some more media work on informing people? Thank you

**Notes**

This business type is not included in the schedule of premises under the current Contact Tracing No-6 direction. As a result a QR code check in is not required.



**Complaint Type: COVID-19 | COM-1331**

Relates to: John Street and Channel Highway, Kingston TAS 7050

**Description of Complaint**

I shop at Coles Kingston daily and while checking in with the app numerous people walk past without checking. There is a faculty at the checkout also but I have noted many who failed to check in on entry do not check in at the checkout. since it became mandatory to check in I have never been queried by a staff member nor have I seen anyone else queried. While I feel for the staff having to do this, it amounts to a management and training issue. In addition, for some months I have had issues with other customers not observing social distancing - particularly at the checkout. I always request these people to distance themselves and often get abused. The staff never intervene or ask the offending customer to do the right thing. What is the point of the legislation when Coles Kingston do not appear to care at all?

**Notes**

This business is not included in the schedule of premises in the current contact tracing direction (No 6) as a result it is not required to have mandatory check ins.

**Complaint Type: COVID-19 | COM-610**

Relates to: John Street and Channel Highway, Kingston TAS 7050

**Description of Complaint**

Complainant is concerned that social distancing signage has been removed. She would like it reinstated.

**Complaint Instructions**

Contact PCBU by phone and advise of current COVID 19 requirements.

**Complaint Type: COVID-19 | COM-1249**

Relates to: 102 Hobart Rd, Kings Meadows TAS 7249

**Description of Complaint**

No Check in Tas QR code board displayed at any entrance to the Coles Kings Meadows supermarket when I tried to use Check in Tas at this address on 22/06/21. When I asked why it wasn't on display I was told that they hadn't got round to having a QR code on display. I noticed that Woolworths do have QR code Check in Tas boards on display at the entrance to their Prospect supermarket.

**Team Leader Comments**

No public health directions requiring supermarkets to display QR Codes.

Feedback provided to complainant by email.

**Complaint Type: COVID-19 | COM-1434**

Relates to: Cove Hill Rd, Bridgewater TAS 7030

**Description of Complaint**

Not enforcing QR code check-in

**Team Leader Comments**

Advice received from Vittotia BON of Coles confirming that all stores are displaying QR codes at the entrance, throughout the store at sanitiser stations and at the check-out to enable customers to use the QR Code at any time during their shop, not just on entry. Coles provide these options to customers to avoid crowding/queueing when customers are entering the store. We also play messages throughout the day on Coles Radio, encouraging customers to use the QR Code.

**Complaint Type: COVID-19 | COM-1317**

Relates to: Cnr Invermay Road and Joffre Street, Mowbray TAS 7248

**Description of Complaint**

Majority of people entering Coles Mowbray are not checking or signing in 1523 10 July 2021

**Notes**

This business type is not included in the schedule of premises under the current Contact Tracing No-6 direction. As a result, a QR code check in is not required.

**Complaint Type: COVID-19 | COM-1431**

Relates to: Cnr Invermay Road and Joffre Street, Mowbray TAS 7248

**Description of Complaint**

Coles Mowbray are not having people doing the check in app.  
Spoke to Coles Manager and he said that this is not compulsory.  
Caller wanted this to be actioned as they have the QR Scans are up and not being adhered to by Coles.

**Team Leader Comments**

Advice received from Vittotia BON of Coles confirming that all stores are displaying QR codes at the entrance, throughout the store at sanitiser stations and at the check-out to enable customers to use the QR Code at any time during their shop, not just on entry. Coles provide these options to customers to avoid crowding/queueing when customers are entering the store. We also play messages throughout the day on Coles Radio, encouraging customers to use the QR Code.

**Complaint Type: COVID-19 | COM-1405**

Relates to: 246 Sandy Bay Rd, Sandy Bay TAS 7005

**Description of Complaint**

I was at Coles supermarket Sandy Bay at 3.45 I checked so did my friend we watched as a people came and not check in and then as we were at the check out the lady at Coles watching people come and go and the people at the front desk watched as people ignored the check in and walked straight on past even though it was on the door on the hand sanitizer stand and few more signs there would have been at least 20 people not do it in the space of 5 min . I mentioned that to the self service lady standing and her response was I know we are suppose to but we can't make everyone and shrugged her shoulders . What is the point of people like me [REDACTED] friend doing the right thing if 20 others don't and Coles themselves don't care. Coles should be fined . Kind regards [REDACTED]

**Inspector Comments**

Attended workplace, spoke with store manager about the complaint and how they are encouraging customers to check-in. QR codes at entrance, at every register, every self serve check out and staff verbally reminding customers to check-in. Secondary sign-in available on request.

**Team Leader Comments**

Site visit undertaken, PCBU had adequate controls in place at time of visit. No further action by WST at this time.

**Complaint Type: COVID-19 | COM-1115**

Relates to: Cnr Invermay Road and Joffre Street, Mowbray TAS 7248

**Description of Complaint**

No check in app displayed, no one there knows anything about it. Said that they did not know about it, been like that for weeks but other shops in area display the check in app

**Notes**

Check-in app is not mandatory for this type of premise. NFA



**HELPLINE ENQUIRY – ENQ/18/977**

'Wednesday, 13 June 2018 at 9:25:14 AM (GMT-10:00) Venn, Joanne (Ms):'

The explanation provided by the PCBU appears satisfactory. I do not believe that any further action by WST is warranted at this time. NFA

"Tuesday, 12 June 2018 at 1:57:39 PM (GMT-10:00) Beams, Stuart (Mr):"

12th June 2018, 11:50hrs I telephoned IGA Westbury, and requested to speak with Ms Judy Fellows. A female person introduced herself as Ms Kim Fellows assistant manager. Ms Fellows informed me her mother Ms Judy Fellows was not on site, however she was in a position to respond to concerns raised by the caller regarding workers being required to work in cold conditions.

Ms Fellows and I then proceeded to have a conversation with regard to the allegations made.

Ms Fellows informed me the store has two heat pumps located at each end of the building, both heat pumps are in good working order. The heat pump at the rear of the store was replaced last year. Ms Fellows informed me staff are issued with a uniform that consists of a woollen jumper or polar fleece jacket, and woollen vest, shirt and pants.

Ms Fellows informed on rare occasions staff members fail to wear the uniform provided. On one occasion recently Ms Fellows advised a staff member arrived for work on a frosty morning in a T shirt.

Ms Fellows informed the entrance into the business has sliding automated opening and closing door and during the colder months the emphasis is on ensuring the door remains closed to keep the heat within the building.

Ms Fellows advised some weeks ago the supermarket experienced a power failure causing the heat pump at the rear of the building to not restart. Ms Fellows advised since the power failure staff have been reminded where the control is located to restart the heat pump. Ms Fellows informed me she will discuss the issue at their next staff meeting. It would appear the PCBU is doing all that is reasonably practicable to provide optimum working conditions for staff.

NFA

SI STUART BEAMS

"Friday, 8 June 2018 at 3:39:25 PM (GMT-10:00) Beams, Stuart (Mr):"

8/06/2018, I attempted to contact PCBU Ms Judy Fellows without success ph 63 931480 mob [REDACTED] I will attempt to call her once again in forthcoming days.

SI STUART BEAMS

"Wednesday, 6 June 2018 at 3:22:15 PM (GMT-10:00) Armsby, Malcolm (Mr):"

Forwarded to Jo Venn.

"Wednesday, 6 June 2018 at 3:16:58 PM (GMT-10:00) Beams, Jo-anne (Ms):"

Caller is calling out of concern for a few people she knows who work at this store.

Management do not heat the store and it is extremely cold at the checkouts.

Employees have to rug up to go to work.

## HELPLINE ENQUIRY – ENQ/19/1253

"Wednesday, 23 October 2019 at 9:36:29 AM (GMT-11:00) McLean, Matthew (Mr):"

Enquires identified that an incident had occurred at the workplace in 2019. The incident was investigated internally. Current policy and procedures in place for bullying.

As a result of WST interaction, PCBU has engaged independent trainer to provide refresher training to department managers.

Based on evidence provided, PCBU has undertaken reasonably practicable steps for the management of bullying in the workplace.

No further action required by WST at this time.

"Tuesday, 8 October 2019 at 8:59:47 AM (GMT-11:00) Collins, Steven (Mr):"

NFAR

Company has policy in place for bullying, the actual incident was address by management, worker wanted instigator terminated, management did not terminate instigator back in January 2019.

Worker left workplace, then over 6 months later returned to lodge workers compensation claim related to bullying.

Company is going to engage independent trainer to refresh all department managers.

30/09/2019 I received an update e-mail from Kemuel advising he had organised refresher training for all his department managers DOC/19/74480

20/09/2019 I e-mailed Kemuel as part of the follow up from my phone call, I also provided advice on the Advisory Service DOC/19/74480.

"Friday, 20 September 2019 at 4:37:35 PM (GMT-10:00) Collins, Steven (Mr):"

20/09/2019 about 11:24am [REDACTED] called, I asked her if she like to meet to discuss the alleged allegations of bullying or was fine with talking on the phone. [REDACTED] commented she was fine to talk now. I asked [REDACTED] to explain what had happened and when. [REDACTED] mentioned there had been an incident on 25 January 2019 involving a worker called [REDACTED] (last name not known). I asked if the matter was dealt with by management, she commented "No". I mentioned that I been informed that the matter had and that the information I been given was that she ([REDACTED] wanted [REDACTED] sacked, [REDACTED] denied that to be true.

█ also commented that it all started with █, █ who "gossips" about everyone, I asked how she knew that █ was talking about her, and █ indicated a friend called █ told her. I asked █ for █ contact number, █ commented she did not want to get her friend in trouble and wouldn't provide any details. I advised █ without any witnesses it's difficult to progress her claim. █ said she would speak with █ and come back to me. I provided my e-mail address to █ █ claimed that █ often made derogatory comments about her and other work mates all the time. She said █ made it an unpleasant place to work. █ made a comment to speak with █ (no last name) the only █ that's worked there.

20/09/2019 I called Kemuel and discussed the alleged allegations against █ I mentioned to Kemuel in no way was I claiming that █ had been bullying anyone. We talked about the options available and I asked how long since management had any refresher training in bullying. He commented we regularly do training in manual handling and first aid, but it been quite a long time since they had done any refresher training in bullying. Kemuel made mention he would make contact with the new HR manager at Statewide Independent Wholesalers to see if she could help with some training. I said I would follow up with the advisory service to see what they could do to help.

"Thursday, 19 September 2019 at 11:53:25 AM (GMT-10:00) Collins, Steven (Mr):"

19/09/2019 about 11:24am I called █ mobile number and left a message to call me back.

13/09/2019 about 3:41pm I called Kemuel and explained the reason for the call. Kemuel made mention he was in the car driving and that the call may drop out.

Kemuel was able to explain in detail that there had been issue on 25 January 2019 with a worker in the deli and █. He made mention the worker was spoken to regarding the matter, however █ wanted him sacked, which did not occur.

Kemuel went on to say █ did not return to work for a number of days, and on the 27/01/20129 Kemuel made a number of calls including to the hospital and Police as he was concerned for safety, as he had a staff member in the past have a car accident.

Kemuel then mentioned on 27/01/2019 █ dropped off her work clothes and left.

On the 7/8/2019 █ returned stating she had lodged a workers compensation claim.

Kemuel commented it strange as she is often seen shopping at the store ever since leaving.

I asked Kemuel if the company had any policies or procedures in place, Kemuel commented "Yes". I asked if he would sent me a copy. I commented to assist I would send him an e-mail in which he could reply to - DOC/19/69862.

10/09/2019 Kemuel replied to my e-mail DOC/19/69862.

The dates he referred too were consistent to the date [REDACTED] had indicated as well. Also included were screen shots of the on line system the company uses.

13/09/2019 about 3:35pm I called the Casmek Investments Pty Ltd trading as Supa IGA St Helens and was asked to call Kemuel Wood the owner, [REDACTED]

"Friday, 13 September 2019 at 3:13:05 PM (GMT-10:00) McLean, Matthew (Mr):"

Assigned SI COLLINS

Online bullying complaint as attached.

Complaint Type: Unsafe Conditions, Unsafe Practices, COVID-19 | COM-69  
Relates to: 12, 2 Prossers Forest Road, RAVENSWOOD

### **Description of Complaint**

Ravenswood IGA doesn't meet the health regulations as their staff don't wear gloves, there is no protective screen up in place near register or deli, no hand sanitizer or wiping down between customers, don't adhere to 1.5 metre rule .

### **Inspector Comments**

Conducted an inspection of the site and established that the PCBU is partially compliant with COVID-19 controls. It was agreed that they would implement perspex screens at the checkouts and evidence of this has been provided. No further action is required by WorkSafe in relation to this matter.

### **Team Leader Comments**

Appropriate actions undertaken by PCBU in relation to COVID-19 controls, post WST visit.

No further action required by WST at this time.

### **Notes**

09/06/2020 13:23

The manager sent photos of the newly installed screens.

01/06/2020 16:17

Conducted COVID-19 audit of site. Agreed with manager to have perspex screens installed at the checkouts by 05 Jun 2020. No other deficiencies identified at the time of inspection.

Complaint Type: COVID-19 | COM-1508

Relates to: 1 Station Rd, Dover TAS 7117

### **Description of Complaint**

Both businesses are not making sure people have checked in dover RSL. People believe as a member they do not have to check in and also having a lot more people there than their numbers are allowed, sometimes overcrowded. Both places are just letting people walk in, no checking at all, mostly older people at the RSL believe don't have to check in because they are a member and at IGA anybody just walks in.

### **Complaint Instructions**

The complaint indicates that both PCBU's have provisions to check in, as a result no further action is required as there are no enforcement provisions for businesses to enforce customers to sign in.

Complaint Type: COVID-19 | COM-1345

Relates to: Evans IGA 52 Orr Street, Queenstown TAS 7467

### **Description of Complaint**

Complainant alleging no check-in app / QR code at the site.

### **Inspector Comments**

Having researched Evan's IGA in Queenstown it appears that the store does not meet the current criteria that would, at the time of the complaint, require them to display a QR code for entry under the Health Departments Contact Tracing Direction 6 .

The PCBU in question appears to be solely a supermarket. Direction number 7 (which comes into effect on the 31st) will require the PCBU to have it in place at that time.

On the Evan's IGA Facebook page,

<https://www.facebook.com/EvansSupermarket/>

they note that customers will be required to sign in as of the 31st of July 2021 via the QR code upon entry. See downloaded photo (EVI-4274).

In relation to this complaint, I recommend no further action be taken at this time.



Complaint Type: Unsafe Practices | COM-2199

Relates to: Ravenswood Library 2 Prossers Forest Rd, Ravenswood TAS 7250

### Description of Complaint

██████ shops regularly at IGA Ravenswood and is concerned with a practice he has witnessed on several occasions where a checkout cashier will throw a packet of cigarettes to another cashier with customers in between the two cashiers.

He believes this practice is dangerous "because it could knock a person's eye out". He has previously raised the issue with the store but feels he has basically been laughed at, and his complaint not taken seriously. He again witnessed this practice when he was shopping at 10.40 am on Wednesday 27/4/2022 and says the shop's CCTV footage would provide evidence.

██████ is quite agitated about this issue and would like something done. Make of it what you will.

### Inspector Comments

**What was the method of enquiry - site visit, telephone enquiry, or other?**

Site Visit - INS-7485

**What were the Inspector's findings in relation to the matters of complaint?**

Spoke with store manager Daniel MARSHALL. He has indicated that cigarette packets are tossed across the counter because storage of the goods is only available on one counter. There is a large volume of customers looking to purchase cigarettes so they allow that to occur from both counters that are operational. MARSHALL is of the belief that the packets are thrown when customers are known to not be in the way.

I did not disclose identity of the complainant however MARSHALL immediately knew who placed the complaint. MARSHALL also indicated that he has numerous complaints from this individual before and suspects the complainant may be suffering from mental health conditions.

**Were any contraventions of the legislation identified? (Detail)**

No

**What safety improvements, if any, were identified (which did not amount to contraventions)?**

Employees should not be throwing items across counters with customers in the vicinity.

**What action has been taken and/or proposed by the PCBU in relation to these matters?**

Through discussion of alternative options, MARSHALL advised he will implement the following:

- signage to limit all cigarette purchases to the appropriate counter
- requesting for employees to pass items across counter and not throw it

**What action has been taken by WST in relation to these matters?**

Matters addressed and discussed with PCBU

**Have Notices been followed up to ensure compliance?**

No

**If requested, has feedback to the complainant been provided?**

Complainant contacted and notified that matters have been addressed. Complainant believes it is still occurring.

**Recommendations**

At the time of my inspection I did not observe any items thrown across counters. However, the manager admits that it does occasionally occur. The manager has proposed to implement signage to direct cigarette purchasers to one counter and will instruct staff to not throw items across counters. I am of the belief that the PCBU has actively taken measures to prevent reoccurrence. Jo, can you advise if you wish for me to pursue this further? Otherwise, I suggest no further action.

**Team Leader Comments**

Site attended. Contraventions not detected at the time of visit. Issue of complaint discussed with PCBU, with a number of potential remedial measures discussed. This is not a strategic enforcement priority. Further action by WorkSafe Tasmania is not warranted at this time.