

CONSTRUCTION GUIDELINE

WHS-PRO-GUI-025a



Intent

To document and communicate James Cook University's (JCU) minimum work health and safety requirements for construction work commissioned by JCU and to provide a framework for JCU to meet its obligations.

Scope

This Guideline applies to activities undertaken in relation to construction work and excludes minor maintenance, repairs or services. If uncertain, the JCU Representative should seek clarification from the WHS Unit to determine if the requirements of this Guideline apply.

This Guideline applies to JCU Representatives who engage Contractors to undertake construction work for JCU.

This Guideline applies to Contractors, its Workers and suppliers and Principal Contractors, its Workers and suppliers engaged by JCU to undertake construction work.

Parent Procedure

Contractor Management Procedure

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Definitions

Term	Definition
A person conducting a business or undertaking (PCBU)	<p>A business or an undertaking that is either conducted alone or with others, whether or not for profit or gain.</p> <p>A PCBU can be but not limited to:</p> <ul style="list-style-type: none"> • a sole trader (for example a self-employed person); • a partnership; • a company.
Construction Work	<p>Includes any work carried out in connection with the construction, alteration, conversion, fitting-out, commissioning, renovation, repair, maintenance, refurbishment, demolition, decommissioning or dismantling of a structure. Refer to Section 289 of the Work Health & Safety Regulation for the full definition.</p> <p>Construction work does not include any of the following:</p> <ol style="list-style-type: none"> a) The manufacture of plant; b) The prefabrication of elements, other than at a place specifically established for the construction work, for use in construction work; c) The construction or assembly of a structure that once constructed or assembled is intended to be transported to another place; d) Testing, maintenance or repair work of a minor nature carried out in connection with a structure; e) Mining or the exploration for or extraction of minerals.
Construction Project	Any project that involves construction work where the cost is \$250,000 or more or where JCU has appointed a Principal Contractor.
Contractor	A PCBU engaged by James Cook University for the purpose of performing work or providing a service for JCU.
High Risk Construction Work	<p>Definition as per Section 291 of WHS Regulations –</p> <p>Construction work that:</p> <ol style="list-style-type: none"> a) Involves a risk of a person falling more than 2m; or b) Is carried out on a telecommunication tower; or c) Involves demolition of an element of a structure that is load-bearing or otherwise related to the physical integrity of the structure; or d) Involves, or is likely to involve, the disturbance of asbestos; or e) Involves structural alterations or repairs that require temporary support to prevent collapse; or f) Is carried out in or near a confined space; or g) Is carried out in or near— <ol style="list-style-type: none"> i. a shaft or trench with an excavated depth greater than 1.5m; or ii. a tunnel; or h) Involves the use of explosives; or i) Is carried out on or near pressurised gas distribution mains or piping; or

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	<ul style="list-style-type: none"> j) Is carried out on or near chemical, fuel or refrigerant lines; or k) Is carried out on or near energised electrical installations or services; or l) Is carried out in an area that may have a contaminated or flammable atmosphere; or m) Involves tilt-up or precast concrete; or n) Is carried out on, in or adjacent to a road, railway, shipping lane or other traffic corridor that is in use by traffic other than pedestrians; or o) Is carried out in an area at a workplace in which there is any movement of powered mobile plant; or p) Is carried out in an area in which there are artificial extremes of temperature; or q) Is carried out in or near water or other liquid that involves a risk of drowning; or r) Involves diving work.
JCU Representative	Designated person who engages a contractor to undertake work and manages and supervises the contract.
Member(s) of the Public	Include visitors to James Cook University, staff of James Cook University and students enrolled at James Cook University.
Notifiable Incidents	<p>Definition as per Section 35 of WHS Act -</p> <ul style="list-style-type: none"> a) The death of a person; or b) A serious injury or illness of a person; or c) A dangerous incident.
Others	Visitors to a JCU controlled property and students not performing work experience or paid or unpaid work.
Principal Contractor	<p>As defined in the work health and safety legislation - A PCBU authorised by JCU to have the management and control of <i>Construction Work</i> for JCU with a value of \$250,000 or more.</p> <p>JCU may also appoint a Principal Contractor for <i>Construction Work</i> with a value less than \$250,000 by formal contractual agreement.</p>
Subcontractor	This is a PCBU that enters into a contract with a Contractor or Principal Contractor to undertake specified construction work.
Worker	Employees, contractors, subcontractors, outworkers, apprentices and trainees, work experience students, volunteers and PCBUs who are individuals if they perform work for the business.

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1 Overview

The parent document, WHS Contractor Management Procedure outlines how Contractors are to be managed at JCU. The Procedure explains this as a six stage process.

This document builds on each of the six stages relating each to construction activities undertaken by JCU.

2 Selection



All Contractors must be qualified prior to commencing construction work at JCU.

This means, before any work is performed by the Contractor, the JCU Representative must ensure the Contractor has:

- provided evidence of the training and licenses required to perform the construction work activities;
- has current insurance (Workers Compensation / Professional Indemnity / Public Liability / Motor Vehicle), and has provided certificates of currency evidencing this;
- undertaken all JCU inductions;
- provided a copy of its site specific safety plan for review.

Refer to the Contractor Management Procedure for the qualifying requirements.

3 Responsibility and Accountability



3.1 James Cook University

As a person conducting a business or undertaking (PCBU), James Cook University has a legal duty to ensure, so far as is reasonably practicable, that Workers and other persons are not exposed to health and safety risks arising from the business or undertaking.

JCU may appoint a PCBU to manage and carry out construction work, however JCU will still have health and safety obligations in relation to the construction work.

JCU is specifically responsible for the implementation of systems to:

- allow JCU staff, Others and Contractors to work safely while ensuring that Procedures do not contravene existing legislation, or other relevant JCU Policies and Procedures;
- assess the competency of Contractors to meet health and safety specifications;
- ensure that Contractors engaged by JCU are aware of any health and safety hazards that may exist in the area in which they are working;
- ensure that Contractors work safely and complete the work as specified in the contract and Safe Work Method Statement;
- ensure Contractors have current workers compensation insurance and have appropriate public liability insurance and that certificates of currency are provided by the Contractor prior to commencing work and remain current for the duration of the contract;
- provide the JCU Representative with training, information and awareness to ensure they possess the necessary skills to undertake the responsibilities outlined in this Guideline;
- nominate a JCU Representative(s) to oversee construction work;

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- provide appropriate resources to enable the appointed JCU Representative to fulfil their work health and safety duty of care;
- review reports of any incidents that occur within their area of responsibility and implement control measures to eliminate or reduce the hazard.

3.2 JCU Representative

The JCU Representative must ensure that all works are acquired through a contractual agreement by using a formal JCU contract and Purchase Order.

All contracts of work must include a statement of work health and safety responsibilities that the Contractor must agree to prior to the commencement of construction work.

The JCU Representative has the responsibility to:

- have understanding of the Contractor's Work Health and Safety Management Plan / Safe Work Method Statements and ensure that the documents are relevant to the contract to be undertaken;
- ensure that Contractors undertake formal risk assessments or Safe Work Method Statements of the work to be conducted prior to commencement of work;
- ensure that the contracted work is performed in accordance with the Contractor's Work Health and Safety Management Plan / Safe Work Method Statement as well as health and safety requirements;
- ensure the Contractor prepares, submits, implements, updates the Work Health and Safety Management Plans / Safe Work Method Statement;
- ensure the Contractor instructs any associated subcontractor to undertake risk assessments of the work to be carried out and provide written Safe Work Method Statements before commencing work;
- ensure the Principal Contractor checks to ensure that all subcontractors and its Workers hold a General Construction Industry Induction Training Card and have undertaken the JCU Work Health and Safety Construction Induction and have undertaken a site specific and relevant area induction prior to commencement of contract work;
- ensure the Contractor keeps a register of, and other records in relation to, all hazardous substances and common plant on the site;
- ensure that the Contractor communicates all major health and safety issues as they arise, including the death of a person, serious injury or illness or a dangerous incident as defined under Queensland's Work Health and Safety Legislation;
- review reports of any incidents that occur within their area of responsibility and recommend appropriate control measures;
- convene a pre-contract meeting, post contract review meeting and document evaluation of performance of the contracted work and submit to JCU Procurement Unit;
- ensure that the tender being evaluated demonstrates that a health and safety system is in place to address the risk(s) associated with the contracted works;
- collect evidence from the Contractor that verifies adequate training has been completed by all Workers and Subcontractors to perform the contracted tasks.

3.3 JCU Work Health and Safety Unit

The Work Health and Safety (WHS) Unit at JCU are responsible for the development and upkeep of this Construction Guideline.

The WHS Unit will consult with key stakeholders to ensure this Guideline document remains up-to-date.

The WHS Unit will provide training for the implementation of this Guideline.

The WHS Unit will monitor implementation and effectiveness of this Guideline document through internal audits.

3.4 Contractor

A Contractor must take reasonable care for their own health and safety and take reasonable care that their acts or omissions do not adversely affect the health and safety of others.

To achieve this, the Contractor must:

- work in accordance with workplace health and safety legislation, Codes of Practices and any relevant Australian Standards;
- adhere to all JCU Policies and Procedures relevant to the work they are undertaking;
- obtain Safe Work Method Statement (SWMS) before high risk construction work commences;
- notify the Regulator before undertaking any Notifiable Works.

Specifically, under the *Work Health and Safety Regulation 2011* (Qld), Contractors must not commence construction or demolition work unless they:

- have undertaken a risk assessment of the work to be carried out and provided a Safe Work Method Statement or Risk Assessment to the Principal Contractor or the JCU Representative;
- ensure that its Workers and Subcontractors have been trained for the task they are to undertake and hold a General Construction Industry Induction Training Card;
- ensure that its Workers and Subcontractors have undertaken the JCU Work Health and Safety Construction Induction and have undertaken a site specific induction (and area induction if required) prior to commencement of work;
- maintain and keep up-to-date Safe Work Method Statements;
- ensure that when changes are made to the Safe Work Method Statement during the course of the work, each person carrying out work in connection with the project is made aware of the change;
- have provided a copy of the Work Health and Safety Management Plan if applicable.

3.5 Principal Contractor

A Principle Contractor is responsible to, so far as is reasonably practicable, ensure that Workers and other persons are not exposed to health and safety risks arising from the business or undertaking at all times until the work is completed.

Under the *Work Health and Safety Regulation 2011*, the Principal Contractor must:

- prepare, implement and make available a Work Health and Safety Management Plan to all Subcontractors and Workers prior to commencement of contracted work;
- update Work Health and Safety Management Plans when appropriate and make available to all Subcontractors and staff;
- ensure that each Subcontractor undertakes a risk assessment of the work to be carried out and provides written Safe Work Method Statements before commencing work;
- direct and monitor compliance with applicable legislation, any Safe Work Method Statement and JCU Policy or Procedure relevant to the work they are undertaking;
- ensure that employees and / or Subcontractors have been trained for the task they are to undertake and hold a General Construction Industry Induction Training Card;
- ensure that all Contractors and its Workers have undertaken the JCU Work Health and Safety Construction Induction and have undertaken a job site specific and area induction prior to commencement of contract work;
- keep a register of, and other records in relation to, all hazardous and other substances on site;
- communicate all major health and safety issues as they arise, including the death of a person, serious injury; or illness or a dangerous incident as defined under Queensland's Work Health and Safety Legislation;
- ensure that all Contractors and Workers are advised if any change is made to the Work Health and Safety Management Plans and Safe Work Method Statements during the course of the construction work, and provide a copy of the document that has been changed to the relevant Contractor as soon as practicable after the change is made. Each person carrying out work in connection with the work is made aware of the change.

3.6 Designer

Under the *Work Health and Safety Act 2011*, Designers are to ensure, so far as reasonably practicable, that a structure or plant is designed to be without health and safety risk throughout its construction and its life.

Designers must provide the JCU Representative with a written report that specifies the hazards and controls relating to the particular design of the structure / plant.

The report must include all reasonably foreseeable health and safety risks associated with the plant / structure during its construction and its life and the proposed controls to mitigate the risk.

4 Safety Induction



4.1 JCU WHS Contractor Induction

All Contractors must undertake JCU's Work Health and Safety Contractor Induction prior to commencing works on site.

The induction is available for both Townsville and Cairns campuses. The JCU Representative can provide further information.

4.2 Site / Area Specific Inductions

The Contractor must ensure all Workers, Subcontractors and Suppliers have undergone a site specific induction for every construction site in which they will be performing work prior to commencement of work.

When Contractors are required to perform work in a restricted area of JCU, for example laboratories, the JCU Representative is to ensure the Contractor has undergone the specific induction for that area prior to commencement of work.

4.3 Training

The Contractor must ensure that all its Workers and Subcontractor personnel have the appropriate training, certificates and licenses before commencing work.

The Contractor, its Workers, Subcontractors and Suppliers must provide evidence of the successful completion of the training when requested by a JCU Representative. Evidence will include:

- General Construction Induction training if applicable;
- Adequate training to use specialised equipment as required;
- Adequate training to perform the work activities as required.

It is the Contractor's responsibility to ensure its Workers, Subcontractors and Suppliers are adequately trained in the applicable JCU work health and safety requirements.

5 Onsite Management



Under Queensland's work health and safety law, JCU has obligations that apply specifically to construction work.

When JCU appoints a Contractor to undertake construction work, JCU does not contract out of its health and safety obligations. Instead, JCU makes arrangements with the Contractor to satisfy the health and safety responsibilities on JCU's behalf.

For this reason JCU, must be sure the nominated Contractor has adequate controls in place to manage the risks associated with the carrying out of construction work.

This section provides that guidance.

5.1 Risk Management

Risk management is integral to all activities at JCU. Risk assessments must be completed prior to any construction work commencing.



It is the responsibility of the Contractor to obtain all risk management documentation outlined in this section from its Subcontractors prior to work commencing

JCU must evaluate and review the risk management processes provided by the Contractor for the associated construction work **before** the construction work commences.

To facilitate this, the Contractor must provide all risk management documentation that is outlined in this section to the JCU Representative for review at least 10 working days unless otherwise agreed in writing prior to the work commencing.

The JCU Representative, in consultation with the JCU WHS Unit are to ensure that the Principal Contractor / Contractor complies with all health and safety requirements prior to work commencing.

5.1.1 Work Health and Safety Management Plan

The Principal Contractor must provide a written **Work Health and Safety Management Plan** (Plan) for the workplace before work on the site commences. This is a requirement under the work health and safety law.

The Plan must outline the arrangements the Principal Contractor promises to put in place to comply with their work health legislative duties.

As a minimum, the Plan must:

- contain the names and positions and health and safety responsibilities of all persons at the workplace whose positions or roles involve specific health and safety responsibilities in connection with the construction work;
- describe the arrangements in place, between any persons conducting a business or undertaking at the workplace where the construction work is being undertaken for consultation, cooperation and coordination of activities in relation to compliance with their duties under work health and safety legislation;
- explain the arrangements in place for managing any work health and safety incidents that occur;
- any site-specific health and safety rules, and the arrangements for ensuring that all persons at the workplace are informed of these rules;
- the arrangements for the collection and any assessment, monitoring and review of Safe Work Method Statements at the workplace.

A Plan is not mandated by the Queensland WHS law for construction work that is valued less than \$250,000. However, JCU may determine that a Plan is required to evidence how risks are being managed on JCU sites. JCU should advise the Contractor if this is required at the time of tender.



The work Health and Safety Management Plan must be signed and dated by the Principal Contractor / Contractor and provided to the JCU Representative at least 10 working days prior to the commencement of work

The Plans and any Safe Work Method Statements and all revisions of this documentation must be made available for inspection before and during the course of the construction work.

The Principal Contractor and Contractor must review and, as necessary, revise the Plan if there are changes in how risks will be managed. The Principal Contractor and Contractor have a responsibility to ensure that each person carrying out work in connection with the construction work are made aware of the change.

A template to complete a Contractor Health and Safety Management Plan can be found on the WHS Website. Alternatively, it is acceptable to use another format that complies with the *Queensland Work Health and Safety Regulation 2011* (Qld).

5.1.2 Safe Work Method Statement

If it is determined that the work will involve High Risk Construction Work, the Contractor is required to document the specific control measures that will be put in place in a **Safe Work Method Statement** (SWMS).

The SWMS must:

- Identify the work that is high risk construction work;
- State hazards relating to the high risk construction work and risks to health and safety associated with those hazards;
- Describe the measures to be implemented to control the risks;
- Describe how the control measures are to be implemented, monitored and reviewed;
- Take into account all circumstances at the workplace that may affect the way in which the high-risk construction work is carried out (*Work health and Safety Regulation 2011* (Qld), S299).



The High Risk Construction Work must be carried out in accordance with the SWMS

A copy of the SWMS must be provided by Subcontractors to the Contractor prior to work commencing.

The Safe Work Method Statement process must be monitored by the Contractor to ensure the work is conducted in a safe manner and in compliance with the work health and safety law.

SWMS must comply with the *Work Health and Safety Regulation 2011* (Qld). A template to complete a Safe Work Method Statement can be found on the WHS website. It is acceptable for Contractors to use their own format so long as it complies with the *Queensland Work Health and Safety Regulation 2011* (Qld).

5.2 Permit to Work

The risk management process may also identify that the JCU Permit to Work Guideline applies to specific activities that are planned.

A Permit will be required for the following activities:

- Asbestos;
- Isolation of Fire Systems;

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- Hot Work;
- Confined Space;
- Overhead or Roof Work;
- Working at Heights;
- Excavation Work;
- High Voltage Work;
- any other designated area or activity deemed necessary for a permit by the Manager, WHS unit.



The Permit to Work Guideline will apply to all JCU managed sites. The Permit to Work Guideline also applies to sites controlled by a Principal Contractor if the work affects members of the public or existing JCU assets and / or infrastructure

The Permit to Work Guideline document should be referenced for further information.

5.3 Safe Access

JCU must ensure that any buildings, access ways or work areas open to the members of the public are safe and without risk. This will include emergency evacuation routes, exits and assembly areas.

The JCU Representative and WHS Unit will review the controls in the Contractor's hazard register, taking into consideration the emergency evacuation requirements of the existing infrastructure affected by the contract.

5.4 Test and Tag

All mains-powered electrical equipment (including tools, appliances, extension leads, power boards, etc.) must have a current "Test & Tag" label affixed to the equipment lead.

5.5 Restricting Unauthorised Access

The Contractor must ensure it meets any legal or best practice requirement in relation to barriers.

Restricting unauthorised access is to include:

- Making sure that only authorised persons can enter the designated workplace;
- The ongoing integrity of barricading systems.

The JCU Representative must ensure each site where work is being undertaken, whether by JCU or by Contractor, clearly displays a completed Excavation / Restricted Access Notice.

The purpose of the Notice is to provide essential information about the construction work that is occurring within the confines of the barricading system.

The Notice must be attached to the outer barricading at the time it is erected.

If, over the duration of the work, contact details change, an amended Notice must be displayed as soon as practicable.

5.6 Design of Building Works

Safety in Design Reviews (SDR) are to be developed by the Designers of plant and / or structure.

The SDRs must record the hazards relating to the particular design of the structure / plant and how the risks are to be eliminated or managed throughout construction and the life of the plant / structure.

The SDRs are to be provided to the JCU Representative with the completed set of drawings prior to tendering for construction.

6 Monitoring



6.1 Reviewing Control Measures

The documented risk assessments outlined in the section called [Risk Management](#) of this document are to be reviewed **prior** to any changes to the work area, any aspect of the work environment or task. Control measures must also be revised to effectively control the identified risk.

The Safe Work Method Statement and / or the Work Health Safety Management Plan must be reviewed and revised to incorporate the updated control measures if applicable.



It is the Contractors responsibility to ensure when changes are made to any risk management documentation during the course of the work that each person carrying out work in connection with the construction work is made aware of the change

6.2 Site Inspections, Audits and Visits

The JCU WHS Unit may carry out site inspections, audits and visits. These will be organised in consultation with the JCU Representative and, if applicable, the Principal Contractor.

When there is a requirement to conduct site inspections and audits, the findings must be entered into JCU's electronic audit system.

6.3 Contractor Non-Compliance

If during the execution of a contract, a Contractor or Subcontractor is found to be in breach of any health and safety requirements by WHSQ or JCU, all work with regards to that activity may be suspended by the JCU Representative and / or the WHS Unit.



The Contractor must be alerted to the matter in writing by the JCU Representative. Consultation should be had with the WHS Unit regarding this advice

Work cannot recommence until the JCU Representative and / or the WHS Unit are satisfied that adequate risk controls are in place to avoid risk of injury.

The issue is to be entered into JCU's risk management system.

Major Contractor non-compliance must be monitored by the JCU Representative and / or WHS Unit and records maintained throughout.

6.4 Work Health and Safety Advisor

Workplace Health Safety Officers (WHSO's) are no longer mandated under the Queensland work health and safety law.

A Principal Contractor may at their own discretion appoint a Work Health and Safety Advisor (WHSA) for a construction site or a contract.

JCU may direct a Contractor to appoint a WHSA for the duration of the contract. In this instance, JCU will inform the Contractor of this requirement at the tender stage.

If a WHSA is appointed for whatever reason, contact details are to be provided to the JCU WHS Unit.

6.5 Incident Management

6.5.1 Notifiable Incidents on a site controlled by a Principal Contractor

Where a Notifiable Incident occurs on a worksite controlled by a Principal Contractor appointed by JCU, the Principal Contractor must give the Regulator notice of the workplace incident.

This must occur immediately after the Principal Contractor becomes aware of the workplace incident occurring and by the fastest means possible. The JCU Representative responsible for the construction work is to be informed of the incident at this time and given a copy of the incident report.

It is the JCU Representative's responsibility to then promptly record the incident and attached the incident notification form into JCU's risk management system.

The JCU Representative must advise the WHS Unit as soon as possible of the Notifiable Incident.

The JCU Representative and the WHS Unit is to participate in or be kept informed of the progress of subsequent investigations. Subsequent investigation reporting is to be provided to the JCU Representative and promptly attached to the incident in the risk management system.

6.5.2 Notifiable Incident on JCU Controlled Site

Where a Notifiable Incident occurs on a worksite controlled by JCU, the JCU Representative and the WHS Unit must be informed immediately of the workplace incident occurring.

The WHS Unit must give the Regulator notice of the workplace incident immediately after becoming aware of the incident occurring and by the fastest means possible.

The WHS Unit and the JCU Representative will conduct the subsequent investigation into the incident and report the incident using the Regulator's approved form within 24 hours of the incident occurring.

The incident is to be entered into JCU's incident management system.

6.5.3 Incidents that are not Notifiable

For all other incidents that are not Notifiable, the Contractor must record the incident and advise the JCU Representative and the WHS Unit:

- within 24 hours of the incident occurring;
- immediately of any incident which involves a member of the public or existing James Cook University infrastructure.

Communication must be in the form of phone call, followed by email, followed by a report.

7 Evaluation and Retention



JCU must be satisfied the Contractor adequately fulfils their work health and safety obligations over the duration of the contract.

This is done through an initial review, ongoing review and audits of the documented risk management processes for the construction work.

The JCU Representative and / or the WHS Unit must document how the Contractor is monitored. This is done through meeting minutes, hazard / incident reports and site inspections and audits findings.

If applicable, the effectiveness of safety in design should be evaluated at the completion of the contract work.

8 Training

All JCU Representative must successfully complete the JCU Representative training package provided by the WHS Unit.

Related policy instruments

WHS-PRO-025 Contractor Management Procedure

JCU Design Guidelines

Facilities and Structures Procedure

Events Procedure

Permit to Work Guideline

Maintenance and Repairs Guideline

Workplace Health and Safety Queensland (WHSQ)

Electrical Safety Office (ESO)

Work Health and Safety Act 2011

Work Health and Safety Regulation 2011

Electrical Safety Act 2002

Electrical Safety Regulation 2013

Queensland Code of Practice for the Building and Construction Industry

AS 3000 – Electrical Installations (Wiring Rules)

AS 3012 – Electrical installations – construction and demolition sites

AS 3760 – In service safety inspection and testing of electrical equipment

AS 2067 – Substations and high voltage installations exceeding 1 kV a.c.

Schedules / Appendices

Appendix 1: Construction Stages – Contractor

Appendix 2: Construction Stages – Principal Contractor

Administration

NOTE: Printed copies of this procedure are uncontrolled, and currency can only be assured at the time of printing.

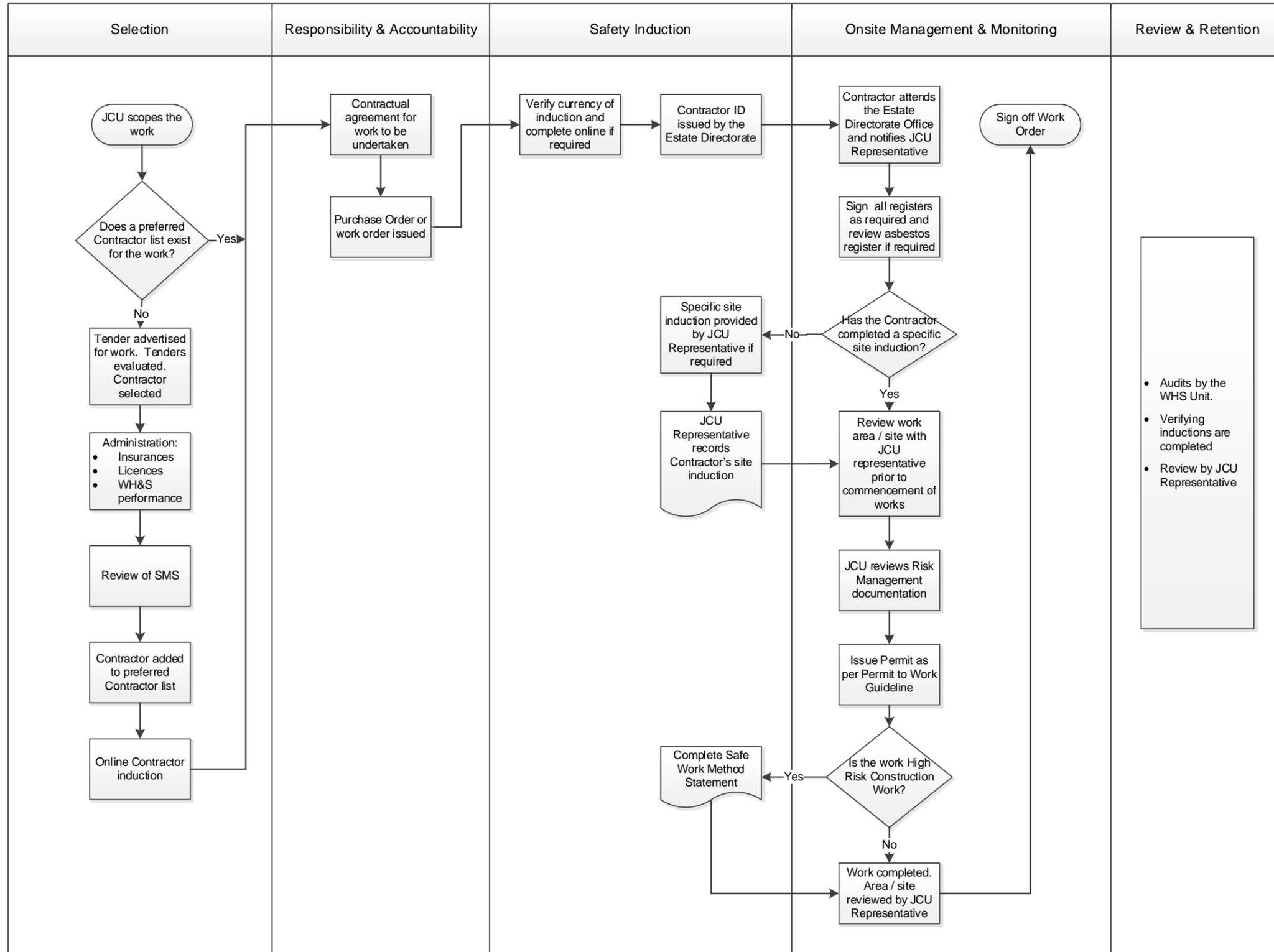
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Revision History

Version	Date Amended	Description of changes	Author
1.0	04/12/2015	Guideline established	Vikki Young, WHS Project Officer
20-1		Nomenclature changes due to unit name change, update numbering from HSE-GUI-002.	WHS Administration Officer

9 Appendix 1: Construction Stages – Contractor



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10 Appendix 2: Construction Stages – Principal Contractor

