

Compliance code

# Communicating occupational health and safety across languages

Edition 1

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This compliance code (**Code**) provides practical guidance for those who have duties or obligations to communicate occupational health and safety matters in appropriate languages in workplaces under the *Occupational Health and Safety Act 2004* (**OHS Act**) and Occupational Health and Safety Regulations 2017 (**OHS Regulations**).

The Code was developed by WorkSafe Victoria (**WorkSafe**). Representatives of employers and employees were consulted during its preparation. It was made under the OHS Act and approved by Ingrid Stitt MP, Minister for Workplace Safety.

Duty holders under the OHS Act and OHS Regulations should use the Code together with this legislation. This Code replaces the *Communicating occupational health and safety across languages compliance code 2008*, which is no longer in force and effect.

While the guidance provided in the Code is not mandatory, a duty holder who complies with the Code will – to the extent it deals with their duties or obligations under the OHS Act and OHS Regulations – be taken to have complied with those duties or obligations.

If conditions at the workplace or the way work is done raise different or additional risks not covered by the Code, compliance needs to be achieved by other means. WorkSafe publishes guidance to assist with this at [worksafe.vic.gov.au](https://www.worksafe.vic.gov.au).

Failure to observe the Code may be used as evidence in proceedings for an offence under the OHS Act or OHS Regulations. However, a duty holder will not fail to meet their legal duty simply because they have not followed the Code. A WorkSafe inspector may cite the Code in a direction or condition in an improvement notice or a prohibition notice as a means of achieving compliance.

A health and safety representative (**HSR**) may cite the Code in a provisional improvement notice when providing directions as to how to remedy an alleged contravention of the OHS Act or OHS Regulations.

Approval for the Code may be varied or revoked by the Minister. To confirm the Code is current and in force, go to [worksafe.vic.gov.au](https://www.worksafe.vic.gov.au).

## Purpose

1. The purpose of this Code is to provide practical guidance to help employers comply with duties for communicating occupational health and safety (**OHS**) across languages.

## Scope

2. This Code applies to workplaces with employees whose language skills require the use of languages other than English to understand information, receive training and participate in consultation.

This Code provides practical guidance on:

- building a language profile by identifying language groups within the workforce
- deciding what OHS information needs to be communicated
- techniques for communicating OHS across languages
- providing language support, such as using translators, interpreters and multilingual employees
- suitable approaches to undertaking consultation
- effective ways to provide information, instruction and training in culturally and linguistically diverse workplaces.

## Application

3. The Code applies to employers, who are required to provide OHS information to employees in appropriate languages and forms, and ensure that any employees with limited English proficiency are appropriately represented in consultation on workplace health and safety.
4. HSRs and other employees may also find this compliance code useful.

**Note:** The word **must** indicates a legal requirement that has to be complied with. The words **need(s) to** are used to indicate a recommended course of action in accordance with duties and obligations under Victoria's health and safety legislation. The word **should** is used to indicate a recommended optional course of action.



## Key terms

### Culturally and linguistically diverse (CALD)

Culturally and linguistically diverse (**CALD**) is a term that describes communities with diverse languages, ethnic backgrounds, nationalities, traditions, societal structures and religions. For the purpose of this Code, a CALD workplace is one where some employees are from a CALD background – that is they speak a language other than English, and may represent a range of cultural backgrounds. They may have been born outside Australia or have parents or grandparents born outside Australia.

### Interpreting

Converting a spoken or sign language into another language to enable communication between two parties who do not share a common language.

### Interpreter

A professionally qualified person who converts a spoken or sign language into another language to enable communication between two parties who do not share a common language.

### Language group

A group of employees who speak, and possibly read, the same language within a workplace.

### Multilingual person

For the purpose of this Code, a multilingual person is someone who can speak at least two languages.

### Translation

Converting written information from one language into another.

### Translator

A professionally qualified person who converts written text from one language to another.

## Who has duties?

5. **Employers** must provide and maintain, so far as is reasonably practicable, a working environment for their employees that is safe and without risks to health. [OHS Act s21](#)
6. This includes providing such information, instruction, training and supervision to employees as is necessary to enable them to work safely. [OHS Act s21\(2\)\(e\)](#)

For information about what reasonably practicable means, when complying with the OHS Act or the OHS Regulations, see the WorkSafe Position *How WorkSafe applies the law in relation to reasonably practicable* at [worksafe.vic.gov.au](http://worksafe.vic.gov.au).

7. Employers must, so far as is reasonably practicable, provide information to employees in appropriate languages about health and safety at the workplace, including the names of people to whom an employee may make an inquiry or complaint about health and safety. [OHS Act s22\(1\)\(c\)](#) The names of such people include those of any HSRs who represent the employees.

8. When negotiating agreements about designated work groups (**DWGs**), one of the matters that must be taken into account is whether other languages are spoken by the employees. [OHS Act s46 and s49](#)

## What is a designated work group (DWG)?

A DWG is a group of employees that perform similar jobs or have similar OHS concerns. There can be more than one DWG in a workplace. A DWG can include:

- employees of an employer at one or more workplaces
- employees of multiple employers at one or more workplaces.

For information about DWGs, when complying with the OHS Act or the OHS Regulations, visit [worksafe.vic.gov.au](http://worksafe.vic.gov.au).

9. When resolving health and safety issues, employers must notify employees, any HSRs and any Health and Safety Committee in the appropriate languages:
- whether the employer intends to participate in the issue resolution personally, or nominates an employer representative, and
  - if they nominate a representative, the nominee's name and position description of the nominated representative.
- [OHS Act s73; OHS Regulations r23\(1\)](#)
10. Employers must ensure that details of agreements to resolve a health and safety issue are communicated to employees in any language agreed by the parties involved in the resolution to be appropriate. [OHS Regulations r25\(6\)\(b\)](#)
11. In addition, there are provisions allowing for materials such as safety data sheets to be prepared in languages in addition to English. [OHS Regulations r145, r149, r150, r156](#)

## Health and safety in CALD workplaces

12. This Code gives employers a way to effectively communicate health and safety messages in workplaces where multiple languages are spoken.
13. Communicating OHS information is central to reducing the risk of workplace injury and illness. Employees need to receive and understand OHS information, be able to raise and discuss issues, and be trained in safe work practices. An ongoing dialogue on health and safety at work is essential to workplace safety and this needs to be accessible for all employees.
14. In some workplaces, language and related cultural barriers can present serious challenges to communication. Employers need to be aware of the issues that may impact OHS communication in their workplace, and take steps to address them. While English language proficiency may be a noticeable factor, it is not the only one that can affect understanding.
15. Employees may not be able to read and write the languages they speak. This can apply both to employees who speak fluent English and those who speak other languages. For this reason, employers need to use the simplest and clearest ways possible to present information.

16. Cultural barriers can also affect communication. Examples of cultural factors that could affect conversations with employees about OHS include:

- differences in how people from different cultures use language, body language or gestures
- assumptions that the employer or supervisor must not be questioned or disagreed with
- an employee's fear of losing their job
- being unaware of the OHS laws in place to protect employees.

Employers need to consider these factors when communicating, consulting and checking for understanding.

17. Language proficiency may be a sensitive issue. A person's ability to learn is not determined by their ability to communicate in English, or their level of language proficiency.

## Consultation

18. Employers must, so far as is reasonably practicable, consult with employees and HSRs (if any), on matters related to health or safety that directly affect, or are likely to directly affect them. This duty to consult extends to independent contractors (including any employees of the independent contractor) engaged by the employer in relation to matters over which the employer has control. [OHS Act s35](#)
19. If employees are represented by an HSR, the consultation must involve that HSR (with or without the involvement of the employees directly). [OHS Act s35](#) The employer must provide the HSR with all information they provide, or intend to provide, to employees. If reasonably practicable, the employer must provide the information to the HSR a reasonable time before providing it to the employees. [OHS Regulations r21](#)
20. If the employer and the employees have agreed to procedures for undertaking consultation, the consultation must be undertaken in accordance with those procedures. [OHS Act s35](#)
21. Consultation must involve sharing information with employees, giving the employees a reasonable opportunity to express their views, and taking those views into account. For consultation to be effective, it needs to be carried out in ways that employees can understand, including in appropriate languages.



# Introduction

**Note:** The characteristics of the workplace will have an impact on the way consultation is undertaken.

For example, consider:

- the size and structure of the business
- the nature of the work
- work arrangements (such as shift work)
- characteristics of employees (such as language or literacy).

See [worksafe.vic.gov.au](https://www.worksafe.vic.gov.au) for more information on consultation.

22. Consultation is required when:
  - identifying or assessing hazards or risks
  - making decisions on how to control risks
  - making decisions about the adequacy of facilities for employee welfare (such as dining facilities, change rooms, toilets or first aid)
  - making decisions about procedures to:
    - resolve health and safety issues
    - consult with employees on health and safety
    - monitor employee health and workplace conditions
    - provide information and training
  - determining the membership of any health and safety committee in the workplace
  - proposing changes that may affect employee health and safety, such as changes to:
    - the workplace
    - plant, substances or other things used in the workplace
    - the work performed at the workplace
  - performing other obligations prescribed by the OHS Regulations.
23. Consultation should take place as early as possible when planning to implement this Code or when deciding to implement alternative measures to those specified in this Code. Consulting early and properly can save time and money by helping to identify the languages spoken in the workplace and employees' preferred forms of communication.
24. In CALD workplaces, a key part of consultation is letting employees know that they can and should speak up about health and safety issues.
25. Interpreters, multilingual employees and multilingual HSRs can play a role in facilitating consultation with employees who require the use of languages other than English to understand information.
26. The best way to consult with employees will depend on the number of employees exposed to the hazard, the severity of the risk, and the complexity of the issue.
27. If written information is being provided as part of the consultation, it needs to be:
  - translated into, or explained in, appropriate languages
  - kept simple, clear and brief, and
  - supported by a summary in plain English or translation.



# Part 1 – Understand and plan for your workforce information needs

## Build a language profile

28. There are many workplaces in Victoria where multiple languages are spoken. Information about health and safety at the workplace must be provided in appropriate languages for all employees. [OHS Act s22\(1\)\(c\)](#)
29. To help understand the language needs in their workplaces, employers should develop a language profile. A language profile will help identify:
  - the number of languages spoken in the workplace
  - how many employees speak each language
  - the preferred languages, dialects and writing systems
  - how well an employee can understand verbal and written information in each language.
30. This process can also identify employees who speak more than one language, and who may be able to facilitate communication with employees who require the use of languages other than English to understand information.
31. If the language profile identifies several different language groups, employers should consider how best to involve each language group in OHS discussions.
32. The language profile needs to be updated regularly to reflect changing demographics and short-term employees. It is important to consider employees who are working on a short-term basis as they may be particularly vulnerable when their communication needs around health and safety are not adequately addressed.

## Collecting information for the profile

33. One way to build a workplace language profile is to collect the information during the induction process. Questions need to be based on self-assessment, and focus on language skills rather than nationality or place of birth. See Appendix D for an example of a language assessment questionnaire. In some cases it may assist to collect this information through a face-to-face conversation, with the help of a multilingual employee (see Part 3 of this Code).
34. The employee language assessment should only be done after the employee has been hired. Employee participation needs to be optional, and permission must be sought to collect and record the information. If an employee chooses not to provide the information, this preference also needs to be recorded.
35. Employers should explain why the information is being collected and how it will be used. It is important that employees feel comfortable about why the information is being collected. Understanding that it is to help protect their health and safety may encourage them to participate. Employers should reassure employees that admitting to low English language proficiency will not threaten their employment.
36. If an employee chooses not to provide this information, employers can still follow many of the steps set out in later this Code to ensure information is made as accessible as possible, and to check that employees have understood information they receive.

# Part 1 – Understand and plan for your workforce information needs

## Assess current health and safety information

37. In CALD workplaces, employers must ensure that all health and safety information is available to employees in a form that they can understand. For employees with low English language proficiency, information may be in their preferred language or in another form suitable for the information, such as signs using symbols. An assessment process will help identify what health and safety information needs to be presented in a different form or in other languages.
38. The first step is to examine the current health and safety information available to employees. Common examples of health and safety information include:
- the organisation's health and safety policy
  - the location and nature of known hazards in the workplace
  - procedures for the safe operation, use, maintenance and replacement of protective equipment
  - injury and incident reporting procedures
  - consultation structures (eg HSRs, DWGs, management contacts and meeting schedules)
  - procedures for raising and resolving health and safety issues
  - emergency and first aid procedures
  - safety signs, labels and symbols.
39. Every workplace is different and communication methods will vary depending on the:
- nature of hazards and the severity of the risks involved
  - nature of the work being done
  - details of risk controls used
  - size of the organisation
  - number of language groups represented and the number of people in each language group
  - literacy of the people in each language group.

# Part 1 – Understand and plan for your workforce information needs

## Make a plan

40. Employers should develop a plan for sharing OHS information in different languages and formats with employees. This is an important step towards understanding an organisation's communications needs. The plan must be developed in consultation with employees and HSRs to help ensure that the solutions chosen are the most effective and appropriate for the workplace.
41. The plan needs to include:
  - the organisation's language profile
  - the health and safety information and training to be provided to employees, and in what languages and formats
  - responsibilities and procedures for providing health and safety information to employees with different language requirements
  - allocation of resources for training, interpreters or translation of safety information
  - a system for collecting and storing health and safety resources and information in the required languages and formats, and how HSRs can access this information.
42. The plan needs to be documented and communicated to all employees. This may be through:
  - explaining the plan in face-to-face meetings
  - providing the plan or a summary of the plan in the appropriate languages.
43. Employers need to review the plan regularly in consultation with employees and HSRs. The plan needs to be updated whenever the information needs of the workplace change (eg change in workplace demographics).

# Part 2 – Communicate for understanding

## Use appropriate forms of communication

44. Tailoring OHS communication to the specific language needs and abilities of employees helps to reduce the risk of workplace injury and illness.
45. Employers must, so far as is reasonably practicable, consult with employees and HSRs (if any) on matters related to health or safety that directly affect, or are likely to directly affect them. **OHS Act s35**  
This should include working with them to determine the most appropriate OHS communication methods for the employees and the workplace. There are several factors to consider when deciding on the best approach, including the:
  - type of information being communicated
  - number of people to be informed
  - range of languages involved
  - literacy of the employees involved.
46. Depending on the resources available and the number and proportion of particular language groups, employers should consider sharing information through:
  - individual sessions
  - practical demonstrations
  - group sessions in English, but with extra time set aside for explanation and questions.
47. If there is a large number of employees from a particular language group, employers should also consider:
  - holding additional meetings in the relevant language
  - providing written translations (for example, of induction manuals and health and safety guidance)
  - translating safety signs.

# Part 2 – Communicate for understanding

## Face-to-face communication

48. Face-to-face discussion and demonstration is usually the most effective way to communicate. This allows everyone involved to quickly identify and address any misunderstandings.
49. When speaking and presenting information:
  - speak slowly and clearly
  - give explanations or instructions in short, simple but complete sentences and in a logical order
  - use clear and common language
  - remember that speaking louder or shouting will not make the meaning any clearer
  - avoid using jargon, slang, or phrases that may not translate well (such as 'in the ballpark').
50. Face-to-face discussion should be supported by written documentation, in appropriate languages.
51. Consider using graphics, diagrams, audio or audiovisual material to supplement the discussion and help convey the information effectively.
52. Regardless of the techniques used, be sure to check that the information provided has been fully understood. See paragraphs 64–65 for more information on how to do this.
53. While each workplace will have different communication needs, several guiding principles always need to be considered. These are listed in Appendix C, Communication checklist.

## Using written information

54. Employers should not rely only on written communication because:
  - some employees may not be literate, either in English or in their preferred language
  - written information is often more complex
  - using written information alone does not give employees the opportunity to ask questions.Wherever possible employers should instead use practical demonstrations, face-to-face discussions, diagrams, audio or audiovisual information. Written information can support these methods.
55. When written information is provided, employers should ensure that employees have sufficient time to read the information and opportunity to ask questions. Remind employees that it is good to ask questions if they don't understand.
56. Written information should always be expressed in plain language and made as clear as possible. This means:
  - using simple, everyday language
  - using common workplace terms in a consistent manner
  - using the same words in writing as you would when talking, but avoid abbreviations, slang and jargon
  - using short, complete sentences
  - keeping documents short
  - using headings and subheadings
  - keeping the format clear and consistent
  - focusing on one idea or issue at a time.



## Part 2 – Communicate for understanding

### Use standard health and safety signs

57. A safety sign gives a specific message to those who may be exposed to hazards in the work environment. Signs may be used to prevent accidents, signify health hazards, indicate the location of safety and fire protection equipment or give guidance and instruction in an emergency.
58. Employers must provide such information, instruction, training and supervision to employees as is necessary to enable them to work safely OHS Act s21(2)(e). This includes ensuring employees are given information and training in the use and meanings of safety signs. Employers also need to check that employees understand the signs. While clear symbols can aid understanding, the effectiveness of a sign can be undermined by cultural and linguistic differences and an inability to understand terminology. Employees may misinterpret signs if they cannot read them or are not familiar with the meaning of a symbol or image. This can create risks to their health and safety.
59. Safety signs do not replace or reduce the need for other control measures.
60. Employers need to use safety signs in a form that is understood by all employees. Safety signs need to:
  - be clear and consistent – the same sign needs to be used to convey the same message throughout the workplace
  - be picture or diagram based, where there is a standard picture sign that can convey the intended message
  - use simple, everyday language – if a sign is set by regulation and is not in plain language, it needs to be supplemented with a simple version or a picture sign.
61. Employers need to ensure that employees are taught the meaning and use of all signs during the induction process. Training needs to include temporary (ie maintenance, cleaning) and permanent signs.
62. Where written signs are used, employers need to provide alternative forms as appropriate.
  - Some very simple signs may not need to be translated if their meaning can be taught, or if they include easy to understand symbols (such as a 'stop' sign).
  - If there is one major language group besides English, signs should be in both languages.
  - Where many languages are used in the workplace, it is best to use picture-only signs to avoid confusion.
  - Alternatively, employers can provide translations of all signs in a handbook or a separate notice prominently displayed in the workplace. However, employee literacy needs to be taken into account.
  - Employers must always provide information and training in the use of signs, regardless of their form.
63. To aid understanding, employers should use standard categories of safety signs. More information is available in AS 1319 Safety signs for the occupational environment, which contains the safety signs that are currently used in Victorian workplaces. There are four categories of picture-based safety signs, distinguished by the colour and shape of the symbol (see figure 1 below).

# Part 2 – Communicate for understanding

Figure 1: Safety sign categories

Description	Meaning
<p>Circle: white background with red borders and cross bar, black symbol.</p>	<p>Stop and prohibition signs.</p> 
<p>Triangle: yellow background with black border, black symbol.</p>	<p>Caution signs.</p> 
<p>Rectangle: green background, white symbol.</p>	<p>Emergency-related information signs.</p> 
<p>Circle: blue background, white symbol.</p>	<p>Protective equipment.</p> 

### Check and monitor for understanding

64. When conducting demonstrations or providing new information in any format or language, employers need to check for understanding. Some ways to do this are:
- asking the employee to do the task
  - asking the employee to identify the equipment used
  - asking the employee to explain the meaning of safety signs
  - asking the employee to restate the information in their own words
  - observing while one employee shows another employee how to do the task
  - asking questions related to the content.
65. Employers need to show employees how to use equipment correctly as well as explain what to do if something is not working properly. When checking for understanding, phrase questions so that the employee is required to give more than a yes or no answer.

# Part 3 – Provide language support

66. Employers need to offer language support to all employees. This includes letting employees know that they can ask for support, what kind of support is available, and who they can ask. The appropriate form of language support will depend on the employee, workplace and situation, but could involve:
- translated written information, audio or audiovisual materials
  - using professional interpreting services, either in person or over the telephone
  - help from a multilingual employee (multilingual facilitator) who has received appropriate training.
67. Employers must provide assistance to HSRs to enable them to exercise their powers. **OHS Act s69(1)(e)** HSRs may request multilingual facilitators, or other language support in the workplace to help the HSR communicate with members of their DWG whose language they do not speak.

## Professional translating services

68. Translation involves written information materials being accurately converted from one language to another, preferably by an accredited professional translator. This includes translating scripts or transcripts of audio or audiovisual material.
69. Employers need to work with employees in target language groups to determine which materials are most appropriate for translation. Priority needs to be given to key information such as the induction manual and health and safety guidance, particularly specific risk-control measures and safety procedures. However, employees may identify other materials that would be useful to them in their work.
70. Written translations may not always be the most effective way to convey information. For example, if employees have limited literacy in English or their own language:
- instructions may be better provided through images or diagrams
  - other information may be better delivered in audio or audiovisual format through an interpreter.
71. Some useful material may have already been translated by other organisations, such as a government agency, another business, an employee organisation or an employer organisation.

## Part 3 – Provide language support

72. When training employees in the use of plant (machinery), consider referring to the manufacturers' instructions. These are often produced in multiple languages. It is important to ensure that the information is accurate, relevant and appropriate for the particular workplace.
73. Translated information should be reviewed regularly for accuracy. Consider which information is likely to change on a regular basis and factor the translation cost into the organisation's budget.
74. Multilingual employees may be able to assist with simple translations of basic information (see paragraphs 87–97). However, most health and safety information needs to be professionally translated because it requires high-level language skills. Employers need to hire a professional, accredited translator for complex or technical information such as important safety material, induction manuals and specific control measures. Translations can be arranged through the Victorian Government's Language Loop ([languageloop.com.au](http://languageloop.com.au)) as well as through many other organisations.
75. Preferably, the translator should be familiar with OHS and have experience in translating this type of information.
76. Some translators are only accredited to translate in one direction. For example, a translator may be able to translate from English to Mandarin, but not from Mandarin to English. If information needs to be translated in both directions, employers should ensure that the translator is accredited to do so.
77. When working with a translator, employers need to ensure:
  - the information is in plain English to begin with – a clear original document will produce a better translation
  - the translator understands the document and interprets it correctly
  - translations are checked for comprehension by members of the target language group at the workplace.
78. Material selected for translation needs to be:
  - clear and succinct
  - up-to-date
  - accurate
  - useful to the target group.
79. Material used for translations needs to be reviewed periodically to ensure the information remains current. When the English language version changes, the translations need to be updated.
80. When reviewing translations:
  - test the accuracy of translated materials by having members of the target group review them, especially if they speak both English and the translated language
  - remember that a good translator will make word choices to capture the tone, context and intended meaning of the original and these may not reflect the literal content of the original
  - be aware that some words may not have direct translations and need to be defined (eg 'ergonomic assessment').
81. There are machine-automated interpreting and translating tools, such as websites that automatically translate from one language to another. These cannot be guaranteed to be accurate, and should not be used to translate OHS information.

### Professional interpreter services

82. Interpreting is a specific skill. Where a message is complex and/or technical, employers should engage a professional interpreter. Multilingual employees may be able to assist in communicating general, simple and low-risk information across languages, such as explaining where break rooms are located or providing notice of a meeting (see paragraphs 87–97). Not every multilingual person is able to act as an interpreter.
83. Interpreters can be hired through accredited private agencies. Ideally interpreting should be used in face-to-face communication so that information can be easily clarified. Telephone interpreting services can be used if it is not practical to bring an interpreter to the workplace.
84. Wherever possible, interpreters should be familiar with OHS and have experience interpreting this type of information and with the relevant industry.
85. The Victorian Government provides detailed advice on working with an interpreter. Some basic ways to ensure effective interpretation include:
  - brief the interpreter beforehand on the context and general content of the conversation
  - explain the role of the interpreter, noting that the interpreter's role is not to add to the communication, but only to interpret what is being said, and the purpose of the session
  - when conversing through the interpreter, look at and talk directly to the employee(s), not the interpreter, and use first-person language. For example, use 'you' instead of 'he/she'
  - speak in whole sentences, but pause often enough to allow the interpreter time to interpret. Use short, clear sentences whenever possible
  - allow the interpreter to clarify information with you. If they need to clarify, ask the interpreter to explain this to the employee(s) first
  - allow the employee(s) to ask questions or raise issues at any time in the conversation
  - use a hands-free phone in a quiet environment for telephone interpreting
  - summarise key points and check the information conveyed has been understood by the employee(s). See paragraphs 64–65 for more information on how to do this.

For more information visit [vic.gov.au/guidelines-using-interpreting-services](https://www.vic.gov.au/guidelines-using-interpreting-services)
86. Most large hospitals have interpreters for a range of languages. In an emergency situation requiring hospitalisation, you should call ahead to notify the hospital that an interpreter may be needed.



# Part 3 – Provide language support

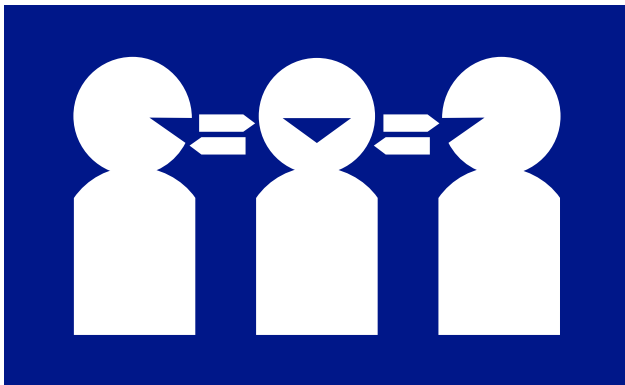
## Multilingual facilitators

87. If appropriate, multilingual employees may be able to use their language skills as multilingual facilitators in the workplace. This involves facilitating some communication about health and safety between employers and employees.
88. Before using employees as multilingual facilitators, employers must check that:
  - the multilingual employee is confident and willing to perform the role and the specific tasks, and understands they take on no additional legal duties in agreeing to act as a multilingual facilitator in the workplace
  - employees are comfortable and consent to receiving information and sharing health and safety concerns through multilingual co-workers.
89. Employers need to ensure that multilingual facilitators are familiar and confident with the information they are communicating. Therefore, it is a good idea to develop a procedure to acknowledge the role of multilingual facilitators and consider whether any additional training is needed.
90. Multilingual facilitators may be able to:
  - talk to other employees, in a group or individually, about general, simple and low-risk OHS issues
  - interpret discussions about straightforward health and safety matters between employees with limited or no ability to speak or understand English
  - check for understanding where people with limited English are given information in simple written English
  - make announcements over a communications system
  - read out translated material
  - convey information between a health and safety committee and non-English speakers
  - write brief, uncomplicated notices, such as notice of a meeting.
91. Multilingual facilitators may also be able to assist in understanding and addressing related cultural barriers that could impact communication.
92. Employers need to inform HSRs in the workplace of the general intention to involve multilingual facilitators, the ways multilingual facilitators may be used and who they are.
93. Where facilitating communication will take multilingual facilitators away from their other workplace duties, the employer needs to provide appropriate and sufficient time for the facilitators to do this.
94. If an employer chooses to use multilingual employees to communicate health and safety information, they need to ensure the role is not confused with the duties of employers or the role of elected HSRs.

## Part 3 – Provide language support

95. Employers need to let all employees know who they can ask for language assistance. One way to do this is through the national symbol for interpreters (see Figure 2). The symbol can be used on badges, name tags, signs and workstations to identify multilingual staff and trained interpreters. Visit the Victorian Government website ([vic.gov.au/national-interpreter-symbol](http://vic.gov.au/national-interpreter-symbol)) for copies of the symbol and guidelines for its use.

Figure 2:



96. Employers may consider employing multilingual officers specifically to liaise with non-English speaking employees and coordinate their information provision. If multilingual officers are expected to translate complex or technical information, or to act as interpreters, employers must ensure they have the relevant skills and qualifications. If they are to provide training, they need to have training skills and qualifications, as well as knowledge of the subject matter and the relevant language.
97. At any time, an employee may ask their employer to engage an independent interpreter to explain OHS matters. If it is not appropriate to use a multilingual employee, look for external language support. Employee associations, employer associations, migrant resource centres and other businesses may be able to assist by providing a multilingual person to facilitate meetings, training sessions or group discussions.

# Part 4 – Provide training

## Induction training

98. Employers must provide training to all employees, including supervisors, so that they can perform their work safely and without risks to health. **OHS Act s21(2)(e)** For training to be effective, it must be in languages and formats that the employees can easily understand.
99. In addition to training in the relevant work tasks and processes, basic workplace induction training must be provided to employees covering, but not limited to:
- OHS policies and procedures
  - the name of any HSRs and their role, and functions of any health and safety committee
  - emergency procedures and terms
  - signage and common workplace terms.
- It is also useful to include information about duties of employers and employees under the OHS Act and OHS Regulations in the training.
100. Employers may consider establishing an induction support system. For example, experienced employees could be trained to support new employees who speak the same language, and assist them to meet the appropriate people and understand safe work practices. The supporting employee should have this role acknowledged as part of their normal duties.
101. An induction support system is not a substitute for induction or other training covering health and safety issues, but can supplement formal processes, to increase an employee's understanding of health and safety matters at the workplace.

## Teach common workplace terms

102. To enable effective communication in emergencies and ensure that health and safety instructions are understood, employers must ensure all employees are trained in and understand the common terms of the workplace, in a common language.
103. Common terms in the workplace can include:
- the names used for the main pieces of equipment, processes and areas of the workplace
  - the position title of key employees (eg supervisor, HSR, safety officer) and their names
  - instructions (eg stop, turn off)
  - emergency safety instructions (eg fire, exit, evacuate)
  - words used in safety signs in the workplace.
104. Common terms need to be taught in the form in which they are used in the workplace. If multiple languages are spoken in the workplace, common terms should be taught and used in a universal form.
105. Common terms need to be taught in the context in which they will be used. For example, the terms relevant to particular equipment and processes can be taught as part of practical demonstrations of the equipment and processes.

# Part 4 – Provide training

## Offer English-language training

106. As part of a long-term strategy for reducing the risk of miscommunication, employers could consider funding English-language training.
107. Developing competence in English will give employees easier access to information on OHS, and may also reduce the cost of information provision in the long term. It is best to choose a training program that includes health and safety in the curriculum. It may also be appropriate to hire a teacher specialising in English as a second language (ESL) to go over aspects of the training or induction program with employees who have limited English skills.
108. Whether it is practical to arrange funded English-language training will depend on the specifics of the employer and employee.
109. Other types of complementary training, such as digital literacy (eg basic computer and online skills) may help employees with accessing and sharing workplace communications and information.

## Train supervisors

110. Training that addresses the cultural and language variations across the range of employees, such as cross-cultural awareness training, is an essential part of managing safety in a diverse workforce.
111. Supervisors, managers, team leaders and HSRs need to be able to communicate health and safety matters clearly to all employees. To do this effectively, they need to be aware of language and cultural differences, and their potential impacts on understanding. Training can increase their understanding of other languages and cultures, and help them develop listening and communication skills.

# Part 4 – Provide training

## Tailor ongoing training to language needs

112. The content and methods of health and safety training needs to be tailored to the specific needs of the workplace and of the group being trained, including any specific language needs. This applies to induction training, on-the-job training and ongoing training.
113. All training needs to be provided in a way that allows the employee to understand and learn. In CALD workplaces, this means providing training in the employee's first language or providing some form of language support.
114. Training programs should:
  - use practical demonstrations and oral presentation
  - use hands-on learning
  - avoid reliance on literacy
  - allow for discussion and clarification.

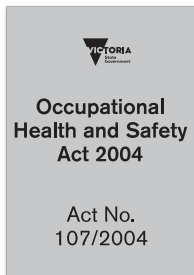
While these approaches assist understanding in all workplaces, they are particularly important for supporting employees from CALD backgrounds.

115. Where the employer provides language support for training, it can take any combination of the following:
  - an interpreter for all or selected parts of the course
  - an ESL teacher to go over all or part of the course
  - translated written support material
  - a plain English outline of the main points
  - a multilingual tutor who is familiar with the material covered.

## Ensure training is effective

116. Employers need to ensure that training programs include methods for checking that training has been effective and that employees understand the training. See 'Check and monitor for understanding', paragraphs 64–65, for ways to do this.

# Appendix A – The compliance framework



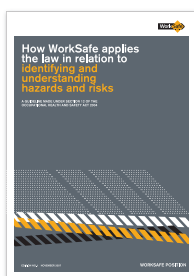
**The Occupational Health and Safety Act 2004 (OHS Act)** sets out the key principles, duties and rights in relation to occupational health and safety.



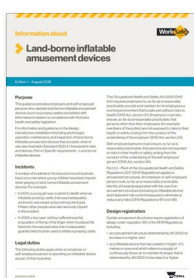
**The Occupational Health and Safety Regulations 2017 (OHS Regulations)** specify the way in which a duty imposed by the OHS Act must be performed, or prescribe procedural or administrative matters to support the OHS Act (eg requiring licences for specific activities, the keeping of records or giving notice).



**Compliance codes** provide practical guidance to duty holders. If a person complies with a provision of a compliance code, they are deemed to comply with the OHS legislative duty covered by the code provision. However, compliance codes are not mandatory, and a duty holder may choose to use some other way to achieve compliance.



**WorkSafe positions** are guidelines made under section 12 of the OHS Act that state how WorkSafe will apply the OHS Act or OHS Regulations or exercise discretion under a provision of the OHS Act or OHS Regulations. WorkSafe positions are intended to provide certainty to duty holders and other affected parties.



**Non-statutory guidance** includes information published by WorkSafe aimed at building people's knowledge and awareness of OHS issues, risks to health and safety, and the disciplines and techniques that can be applied to manage and control risks. Non-statutory guidance is not mandatory, nor does it provide any *deemed to comply* outcomes for duty holders. This guidance does, however, form part of the *state of knowledge* about OHS.



# Appendix B – Compliance checklist

## Work out how to consult

- Make provision for involving employees whose language skills require the use of languages other than English in consultation on health and safety.

## Understand and plan for your workforce information needs

- Develop an up-to-date language profile.
- Review health and safety information and assess for relevance and accessibility.
- Develop a plan for managing communication and information provision.
- Explain the plan and make at least a summary available to employees.

## Communicate for understanding

- Use appropriate forms of communication, prioritising direct face-to-face communication, demonstration and supporting materials.
- Ensure plain language is used and information is as clear as possible.
- Ensure workplace safety signs are displayed in standard and appropriate forms, and that employees understand them.
- Include provision for checking that employees understand training, instruction, information and signs.

## Provide language support

- Identify written material needing translation in consultation with employees.
- Obtain professional translations in relevant languages.
- Provide professional interpreter services where appropriate.
- Identify multilingual employees who can facilitate some communication in the workplace.
- Ensure facilitators are willing to perform the role and are supported to do so.

# Appendix B – Compliance checklist

## Provide training

- Provide employees with induction training in appropriate languages and formats, incorporating general health and safety rights and responsibilities.
- Ensure employees are taught common workplace terms.
- Offer support for English-language training, if appropriate.
- Train supervisors and managers in communication techniques and understanding of cultural difference and its potential impact on communication.
- Ensure ongoing training is conducted in appropriate languages and forms so that all employees can understand and discuss the content.

## Review and revise

- In consultation with employees and HSRs (if any):
  - Regularly review the plan for managing communication and information provision. Update the plan whenever the information needs of the workplace change (eg change in workplace demographics)
  - Regularly review the effectiveness of communication, language support and training processes. Make changes if they are no longer effective.

# Appendix C – Communication checklist

## Communication checklist

- Think about what you want to say and the simplest way to say it.
- Use plain, simple language.
- Be active: talk, do demonstrations and use charts, pictures and diagrams.
- Speak slowly and clearly using short, complete sentences.
- Use plain language written materials to support discussion.
- Use audio or audiovisual material in appropriate languages.
- Provide written information in appropriate forms and languages.
- Use consistent terms and symbols.
- Make information readily accessible to all employees.
- Provide interpreter services.
- Ask multilingual employees to assist as multilingual facilitators, if appropriate (see paragraphs 87–97).
- Allow time for discussion, consideration and questions.
- Check for understanding.

# Appendix D – Sample language profile questionnaire

This sample questionnaire can be translated or used by multilingual facilitators to assist a conversation with an employee about their language needs.

## Health and safety information

These questions are to help us talk with you about health and safety.

### 1. What language do you prefer :



for speaking:



for reading:

### What other languages do you speak or read?

I do not want to answer this question.

### 2. If English is not your first language, how good is your English?

for speaking and listening:



- Excellent  
 Good  
 I need information in my preferred language

for reading and writing:



- Excellent  
 Good  
 I need information in my preferred language

I do not want to answer this question.





### **WorkSafe Agents**

Agent contact details are all available at  
[worksafe.vic.gov.au/agents](https://worksafe.vic.gov.au/agents)

### **Advisory Service**

Toll-free 1800 136 089  
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Website [worksafe.vic.gov.au](https://worksafe.vic.gov.au)

### **Information in your language**

For information about WorkSafe in your own language, call our Translating and Interpreting Service (TIS National) on **131 450**.