



IS YOUR WORKPLACE WELL?

According to Safe Work Australia, around \$543 million is paid in workers' compensation for work-related mental health conditions each year. Mental health in the workplace has never been more topical nor more prevalent, as evidenced by the McGowan Government introducing Australia's first code of practice dealing with the mental health of fly-in-fly-out workers.

Launched earlier this month, the "*Mentally healthy workplaces for fly-in-fly-out workers in the resources and constructions sectors*" code (**Code**) gives clear guidance to employers regarding hazard identification, support and culture, accommodation and rostering. The Code has been broadly welcomed by those vocal about such issues in the affected industries.

In my role as a workplace relations lawyer, I am often dealing with matters where mental health in the workplace is a factor, if not the predominant issue. The legal matters within which a mental health issue may arise range from fitness for work queries through to workplace investigations, unfair dismissal and adverse action claims, performance management, bullying, conduct issues and everything in between. Experience tells me that despite the obvious challenges, these issues are entirely capable of being navigated in a way that is respectful and appropriate and that a clear strategy is required.

Business owners and managers keen to stay ahead of the trend would be wise to read the Code, even if they do not have a FIFO workforce or operate in the resources or construction sectors. The Code contains useful information that has broad application, particularly for businesses who require workers to travel long distances or reside on a work site.

Here is a link to the Code - <http://www.dmp.wa.gov.au/Safety/Codes-of-practice-16145.aspx>

With the cooler months on approach and the stress that can sometimes manifest for staff and business owners alike around Easter, it is timely for employers to reflect on workplace



wellness. If sick leave is starting to rise or productivity is starting to decline, respond with a considered, creative and sensitive approach that is appropriately individualised for the exceptional issues that can, and do, arise.

I recommend employers review their workplace policies and contracts, and think about ways to incentivise staff to not only show up for work but enjoy it - irrespective of the health or personal battles they may be facing. Recently, a client of mine reported positive feedback after birthday leave was introduced. Another client reported better productivity at work after a weekly mindfulness meditation started. Others have reported that simple changes, such as introducing a Code of Conduct, offering a free flu jab and adopting a more flexible approach to sick leave and working from home had resulted in a decrease in staff accessing personal leave and disrupting work flow.

Every workplace is unique and has a personality and an energy. What is yours and what do you want it to be?

If you think it is high time you re-think your workplace strategy or update your policies, ensure you take legal advice to ensure your strategy is lawful and fit for purpose.

For further information or assistance contact Murfett Legal on +61 8 9388 3100.

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