



DRAFT CODE OF PRACTICE Psychosocial hazards in the workplace

PUBLIC CONSULTATION SUBMISSION

This draft code of practice has been developed by the Commission for Occupational Safety and Health (the Commission) under the *Occupational Safety and Health Act 1984* (the OSH Act). The Commission's objective is to promote comprehensive and practical preventive strategies that improve the working environment of Western Australians.

The code of practice is intended to provide practical guidance for workplaces where workers may be exposed to psychological and social hazards such as inappropriate behaviours, violence and aggression, fatigue, burnout, stress and trauma, which can be harmful to their health.

Managing psychosocial hazards and risks can be challenging because of the complex interplay and changing nature of risks. Effective consultation and communication are critical, and a proactive and integrated approach is required. The code of practice provides high-level guidance for a risk management approach, which should be tailored to the unique demands of each workplace.

Everyone who has a duty to prevent, so as far as practicable, hazards at workplaces should use this code. This includes employers, employees, self-employed people, safety and health representatives and safety and health committees.

While this public consultation relates to the draft *Psychosocial hazards in the workplace* code of practice, this code of practice is complimentary to the *Violence and aggression at work* and *Workplace behaviour* codes of practice drafts which the Commission recently sought feedback. The *Workplace behaviour* code of practice remains available for public consultation until 30 August 2021. It can be found at [Open consultations](#) along with the draft *Violence and aggression* code of practice which is available for reference purposes until that date.

Submissions close: 5.00 pm WST, Friday 11 October 2021.

Please use this cover sheet and feedback template to submit your comments to safetycomms@dmirs.wa.gov.au

Suggested content changes may also be tracked on the Word document and submitted together with this completed template.

Section 1: Submission details

Full name:	Centre for Work + Wellbeing
Organisation and position (if applicable):	
Email:	t.bentley@ecu.edu.au
Telephone:	+61 8 6304 5418

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Section 2: Feedback

Track-changed document submission

Does this submission contain a **track-changed version** of the draft code?

Yes

No

If yes, submit as a Microsoft Word compatible document (.docx)*

General comments

Centre for Work + Wellbeing

STRATEGIC RESEARCH CENTRE



About the ECU Centre for Work + Wellbeing

The ECU Centre for Work + Wellbeing is a strategic research centre based at Edith Cowan University.

The Centre is a research leader in the field of organisational studies on healthy work and wellbeing. Our researchers come from a wide range of disciplinary backgrounds, including members with expertise in work psychology, human resource management, management, organisational behaviour, public sector management, change management, human factors, industrial relations, occupational safety and public health.

Centre members share a systems thinking approach to work and wellbeing, based on the premise that wellbeing and mental health outcomes for employees are a product of the work environment, rather than purely a result of personal factors. For this reason, our members focus their research attention across the broad work system and beyond, to consider the interacting role of individual, job, organisational, societal and cultural issues in the analysis of worker mental health and wellbeing.

Centre for Work and Wellbeing researchers have a history of collaborating across a large number of funded work and wellbeing studies, including major government-funded studies on psychosocial risks and wellbeing, and research on flexible working and diversity, undertaken in collaboration with public and private sector partners.

We have recently completed and are currently engaged in projects on psychosocial risk and flexible and remote work (two projects for NSW and WA governments), mentally healthy workplaces (NSW government) and organisational interventions for the physical and mental health of older workers (NSW government). Outputs of these projects typically include practical tools to help eliminate or reduce psychosocial hazards.

The draft code

We welcome the release of the draft code of practice on Psychological hazards in the workplace. The increased attention now given to psychosocial hazards in general, and the code specifically, are much-needed.

We believe the code would be strengthened by:

- 1) **Ensuring that the guide is future-proofed.** 2020 and 2021 have seen large-scale working from home in response to the coronavirus pandemic. Working from home, as part of the increasingly popular hybrid flexible working model, is here to stay. This form of work generates new psychosocial risks as evidenced by our research. The nature of work undergoes constant change. As new technologies emerge and are introduced, jobs change. The code should give greater attention to psychosocial hazards related to the introduction of automation, robotics, algorithmic management and technology-facilitated surveillance.
- 2) **Additional action-oriented content.** More practical advice on 'how to' could be added relating to the above areas, for example in Appendix 2. This is particularly important for work

design/redesign to eliminate or minimise psychosocial hazards – these aspects are very challenging and more practical guidance would be helpful.

- 3) **Greater integration of psychosocial hazards related to insecure work.** Insecure work, such as casual work, labour hire, and the gig economy, forms a significant part of today's workforce. This work can exacerbate existing psychosocial hazards and bring new ones.

While noting that the code relates to all workers, our submission largely focusses on the issues of psychosocial risk for knowledge workers working remotely, an area of recent large-scale government-funded research for the Centre.

Working from home

Our research has found that organisations' occupational safety and health processes have not kept up with changes in work with respect to working from home. Interviews with employees and managers revealed that many felt that it was unclear who was responsible for occupational health and safety in the home. Focus groups which also involved work health and safety specialists and regulators elicited further issues such as how to deal with issues of domestic violence, mental health issues, the issue of workers privacy and the crossover between the personal and work spheres. There is also ambiguity between the division of labour between the HR and OSH functions in an organisation. Also, there is a low level of understanding, particularly the 'how to' with respect to psychosocial risk and mental health. It is a general problem that occupational safety and health can be thought of as relating solely or mainly to physical issues. In the work from home environment, psychosocial risk, and the effects of excessive job demands on employee wellbeing is much more pertinent.

The following psychosocial hazards may be exacerbated when working from home, and were demonstrated in our research:

Social isolation.

Workers working remotely miss out on the professional and personal, in-person contact with their co-workers. This affects people differently. Some do not miss it, others feel lonely. While workers and organisations set up informal online events to catch up with their co-workers (or just called each other), this is not the same as communicating in person. For new starters, this can particularly be a problem. Those living alone should also be considered. When we are not in lockdown, work from home for many will only be part of the week. While this may reduce the risk of social isolation, it should not be dismissed completely as a concern.

Work demands

Working from home sometimes added to work demands in the following ways. Many employees and managers were putting in additional hours while working from home. Many employees replaced some of the commute time saved with extra work (NSW Innovation and Productivity Council 2020, p.16; Colley and Williamson 2020, p.12). Some workers were given an increased workload by their employer, others felt the need to 'prove' they were working, creating extra work. Some tasks take longer in an online environment. For some, work intensification could take place as a result of the lack of natural breaks in an office environment (eg. talking to a colleague, longer trips to make coffee or go to the bathroom). Periods of sustained concentration could occur, including with back-to-back Zoom meetings. For managers, workload could increase as they needed more time to coordinate tasks, and also to play a pastoral role.

Blurring of boundaries between work and home life

Working from home can blur the distinction between work and home life. The lack of commute can remove a space where workers 'decompress'. It can also erode the restorative nature of the home, as work location and home location become one and the same. Some employees we spoke to felt pressure to be contactable outside of work hours. We advocate a 'right to disconnect' whereby workers have right enshrined in official company policy or legislation not to be contactable after a certain time and on the weekend. While working from home can in some ways and for some people assist with work-life balance, for example, by making it easier to attend to appointments, school pick-up or errands, where work demands are too high, it can also cause conflict between these aspects of people's life.

Some women we interviewed had additional demands placed on them when working from home due to societal gender norms, something seen more widely. More generally, our studies have found that different demographic cohorts experienced working from home differently. Care needs to be taken not to generalise or make assumptions. Further, experiences and preferences can differ within demographic cohorts. This is an under-researched area.

Technostress

Technostress is defined as 'mental stress from technology' (Atanasoff and Venable 2017, p.327). This can be exacerbated through information overload, constant connectivity and the use of multiple electronic communication systems (Bolisani et al. 2020; Molino et al. 2020), all features of the contemporary work environment. Difficulty understanding or using technology can also create technostress. Technostress is linked to poor self-rated health (Atanasoff and Venable 2017). Participants in our studies reported fatigue when using online meeting platforms for extended periods of time. Employers should ensure adequate training, allow time off for training and provide technical support.

Ergonomics

Some interviewees said they had an improper ergonomic set up, causing physical pain for some flexible workers. Many organisations do not offer financial support for staff to set up ergonomically appropriate work stations at home. Ergonomic assessments tend to be less thorough or entirely absent. For small numbers in our studies, there were issues around sedentariness or alcohol consumption.

Bullying

Our research has found that exposure to workplace bullying/harassment was higher among remote workers.

Other issues

Some people will not be able to work from home, or home is a sub-optimal environment. This may be because the worker experiences abuse in the home, children are at home, or there isn't space for a dedicated office. If the workplace is inappropriate, whether in person or at home, this can lead to additional job demands and stress. There is also the question of organisational justice. Employers need to ensure that those who can afford to have a spare room and a well-equipped office have greater wellbeing than those who do not. This means that employers should make working away from the office, an option, not a *requirement*, and continues to have the obligation to provide a safe working space themselves. Hotdesking, for example, can have negative effects on workers wellbeing.

We advocate greater attention to these issues in the revised code. At present, while 'work from home' is included in the definition of workplace (p.3), the only time there is material especially

relevant to work-from-home is the brief section on isolated work (p.8), which lists some psychosocial hazards. The hazards listed here are real issues, however, more detail is needed, and there are further issues to consider. Moreover, working from home now needs to be considered less as a separate type of work arrangement, and more as part of a 'new normal,' (both because of the increase in flexible work arrangements as well as the possibility of lockdowns) which potentially exacerbates existing psychosocial risks such as workload, and introduces new ones such as social isolation.

More practical advice is needed in the code to manage these risks. Appendix 2, 'Hazard identification and risk assessment form', would benefit from an example of a large employer, which integrates work-from-home-related hazards. At present, the example of a large state government department with 5000 employees has practical advice for the employer (p.32), but has no specific advice about working from home (aside from a reference to allowing flexible work arrangements). Measure to mitigate these hazards need to be included. The Centre has put together a 'how-to' guide for employers as part of a commissioned study for the Centre for Work Health and Safety NSW (2021). This may provide a useful starting point.

Insecure work

2.3 million Australian workers, almost a quarter of the workforce, have no paid leave entitlement Australian Bureau of Statistics. (2020). 24 percent of Western Australian employees are in casual employment. Other workers such as labour hire workers, independent contractors have no leave entitlements, while employees on fixed term contracts have leave entitlements but also experience job insecurity.

A number of psychosocial hazards are intrinsic to the nature of non-standard employment (for the purposes of this submission, defined as having no leave entitlements). For example, casual workers suffer from job insecurity, as they can lose their job with only a few hours' notice. This can be stressful for employees. It can also mean that they have a high workload and work pace, as they are scared of losing their job. 53 percent of casual workers in Australia have earnings, and thus hours, which fluctuate from one pay cycle to another. The World Health Organisation outlines ten psychosocial hazards, which have substantial overlap with the draft code (Leka et al. 2010, p.5). Casual workers can legally be given unpredictable hours, so their work schedule (Hazard 3, WHO) can by definition be a psychosocial hazard.

Added to this are hazards which while not intrinsic to non-standard employment, are nonetheless a common feature of this work. These include a lack of control over their work and participation in decision-making (Hazard 4; p.7 draft code), and lack of career opportunities (Hazard 10).

The United Workers' Union (2020, p.10) has drawn attention to the link between the lack of job security and other psychosocial hazards such as sexual harassment, arguing that:

Maintaining such insecure conditions means that workers have less power to stand against other forms of exploitation and mistreatment, including ...sexual harassment and poorly managed workplace health and safety...insecure work acts as a force multiplier, helping to enable and accelerate other fundamental problems in the industry, including wage theft, sexual harassment, and migrant worker exploitation.

Employers should convert casual and fixed-term employees to ongoing employees where this is desired by the employee. Recognising an additional burden of psychosocial hazard from insecure employment, they should take special care to mitigate these hazards for this section of the workforce. Where workers are casual employers should give as much notice of shifts as possible, and give workers predictability with their shifts (which also gives workers earning stability). Employers

should also increase the rate of pay for these workers which can ameliorate the effect of some of these hazards.

Technology and psychosocial hazards

Technology is changing rapidly. Regulation, research, and public awareness has not kept pace with the current and potential changes to work. Technological change poses risks to workers if not managed effectively.

Much discussion of technology and work centres around job losses through automation. Whatever the merits of the different viewpoints in the debate, and the effect of automation on overall employment, two things are clear. Firstly, some jobs will disappear, and be replaced by new ones. Secondly, other jobs will be transformed, with digital technology significantly changing the way an occupation is done, or the way it is managed. The fear of job loss can also create anxiety among workers, and can change the balance of power within the workplace, with negative impacts on workers' health.

Algorithmic management – whereby significant work functions are managed by an app, rather than directly by a human – can have very serious implications for psychological risk. Algorithmic management is increasingly used beyond platform work, in areas such as logistics, hotels, and the retail and service sectors (Mateescu and Nguyen 2019, p.1). In the United Kingdom, 10–25 per cent of respondents surveyed by the Trades Union Congress 'said they had experience of decision-making/informing technology in holiday allocation, absence management, ratings, role instructions, work allocation, timetabling, access to training and gamified training assessment' (Trades Union Congress 2020, p.20).

Academics Parent-Rochelleau and Parker (2021), in a comprehensive literature review, have usefully summarised the effects of algorithmic management on work design. Some of these include:

Monitoring is associated with lower autonomy...[and] higher emotional demands. Goal-setting is associated with... Lower job complexity, Higher physical demands or workload, Higher job insecurity. Performance management is associated with ...Lower autonomy and task significance, Lower social support... Higher emotional demands. Scheduling is associated with Lower autonomy... Higher workload... Higher job insecurity. Compensation is associated with... Higher workload. Job termination is associated with... Higher job insecurity.

Surveillance of workers through digital technology is a huge, and growing issue. The authors of a European Union report write that 'The saturation of working life with such technologies has subjected some workers to constant extraction and processing of data for analytic or AI training purposes with minimal options to opt out' (Spencer et al. 2021, p.38). Surveillance can also increase the pace of work (Mateescu and Nguyen 2019). Excessive monitoring can lead to stress and anxiety (Spencer et al. 2021, p. 39). In some workplaces, artificial intelligence is even used to measure emotions, by analysing the text, voice or facial expressions made by workers (Spencer et al. 2021, p. 38). There is often a lack of transparency. Platform workers receive ratings from users or clients, and can lose their job based on low rating: 'Reasons for reduced scores are often obscure or unfair, and there are many examples of platform workers experiencing abusive, discriminatory or even criminal behaviour from platform service-users, but feeling unable to contest or escape such situations for fear of receiving a low score or deactivation' (Spencer et al. 2021, p. 39). There are also well known issues of discrimination when algorithms are used (Mateescu and Nguyen, 2019). Third-party apps in the gig economy can be used to 'distance companies from the effects of their business decisions' (Mateescu and Nguyen, 2019). The code should make clear that companies such as Uber have a

responsibility for the occupational health and safety of those who drive for Uber, regardless of whether they are employees at law.

Increased use of technology at work can lead to an 'always on' culture, with implications for work intensity, increased unpaid hours and a negative impact on work-life balance. The code should make clear that workers have the 'right to disconnect' from work outside scheduled hours. Employers need to make this clear and a leadership and organisational level. Workers should not be penalised for being unavailable outside work hours, nor should they be rewarded for being available.

Finally, there is the issue of de-skilling. In some jobs, advanced technology can be used for boring tasks, improving workers' job quality. Yet in others, others, de-skilling can occur, with jobs broken down into small, standardised task, with no discretion left for the employee: 'Workers...may not be replaced by robots, but may face having to work as if they are robots' (Spencer et al. 2021, p. 42).

Needless to say, the potential negative effects on workers' health and safety of such use of technology is enormous.

By paying greater attention to significant trends in the world of work, the code will be better placed to offer guidance which, if followed properly by employers, can mitigate psychosocial hazards affecting significant, and increasing, numbers of workers.

Prepared by:

Dr Alexis Vassiley (Research Associate) and Professor Tim Bentley (Director)

Centre for Work and Wellbeing, Edith Cowan University.

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Detailed comments

If commenting on specific content, you may wish to use the table below.

Reference to specific chapter/section/page	Comment
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Appendix 2

More practical advice on 'how to' could be added relating to working from home, psychosocial hazards related to technology and insecure work. This is particularly important for work design/redesign to eliminate or minimise psychosocial hazards.

For example, the Appendix would benefit from an example of a large employer, which integrates work-from-home-related hazards. At present, the example of a large state government department with 5000 employees has practical advice for the employer (p.32), but has no specific advice about working from home (aside from a reference to allowing flexible work arrangements). Measures to mitigate these hazards need to be included. The Centre has put together a 'how-to' guide for employers as part of a commissioned study for the Centre for Work Health and Safety NSW (2021), available here <https://www.centreforwhs.nsw.gov.au/knowledge-hub/a-best-practice-guide-for-flexible-and-work-from-home-arrangements> This may provide a useful starting point.

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The section on isolated work (p.8) is the only section mentioning working from home. More detail and consideration of hazards and issues surrounding working from home is needed here.