

# FACT SHEET

## Work health and safety

# What applicants need to know before being assessed for front-end loader, backhoe, skid steer and excavator

The new work health and safety laws come into effect in NSW on 1 January 2012. Under these new laws, certificates of competency will no longer be issued for operators of excavators, front-end loaders, backhoes and skid steers.

To transition to the new laws, from 30 September 2011 operators in NSW no longer need a certificate of competency to operate this plant.

**Before 30 September 2011**, you must hold a certificate of competency or work on a log book under supervision if you wish to operate a front-end loader (LL), front-end loader/backhoe (LB), front-end loader of the skid steer type (LS) or excavator (LE) in NSW.

If you would like to obtain a certificate of competency before 30 September 2011, you can be assessed by a WorkCover assessor and, if deemed competent, will be given a notice of satisfactory assessment (NSA). You must lodge your NSA and application form at Australia Post within 60 days or risk not receiving your certificate of competency from WorkCover.

If you choose not to be assessed, you must continue to work on a log book under supervision.

**From 30 September 2011**, you do not need a certificate of competency to operate this plant. There will be no new assessments or re-assessments done by a WorkCover assessor from this date.

However, you must demonstrate your competency and this could be assisted by:

- holding a previous certificate of competency issued by a regulator, such as WorkCover
- holding a statement of attainment or other nationally accredited qualification for the plant you operate
- holding an industry competency card or completing training at an industry training school
- having appropriate on-the-job training from an experienced and competent operator
- having previous experience and competency verified by a previous employer.

You must also demonstrate that your current level of competency is appropriate for the complexity of the work and the conditions of the worksite.

Employers (or controllers of the plant) must ensure that operators have received adequate information and training, and/or are supervised, so that any risks to health and safety are minimised. The amount of information, instruction, training and/or supervision required should take into account the complexity of the tasks, the operator's current skills and ability, and other workers on site. Ongoing training should be provided to maintain the operator's competency level and ensure new workers are able to work safely. All other general duties regarding health and safety apply.

---

The new work health and safety laws come into effect in NSW on 1 January 2012 and information regarding requirements for loadshifting plant under these laws will be published on [workcover.nsw.gov.au](http://workcover.nsw.gov.au) as soon as it is available.

Further more information, call WorkCover on **13 10 50** or visit [workcover.nsw.gov.au](http://workcover.nsw.gov.au)

---

#### Disclaimer

This publication may contain occupational health and safety and workers compensation information. It may include some of your obligations under the various legislations that WorkCover NSW administers. To ensure you comply with your legal obligations you must refer to the appropriate legislation.

Information on the latest laws can be checked by visiting the NSW legislation website ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)).

This publication does not represent a comprehensive statement of the law as it applies to particular problems or to individuals or as a substitute for legal advice. You should seek independent legal advice if you need assistance on the application of the law to your situation.

©WorkCover NSW

Catalogue No. **WC03392** WorkCover Publications Hotline **1300 799 003**  
WorkCover NSW, 92-100 Donnison Street, Gosford, NSW 2250  
Locked Bag 2906, Lisarow, NSW 2252 | WorkCover Assistance Service **13 10 50**  
Website [workcover.nsw.gov.au](http://workcover.nsw.gov.au)

ISBN 978 1 74218 867 6 ©Copyright WorkCover NSW 0611