MYPASS®

GUIDE

7 Hidden, Underestimated Risks Safety Leaders Need to Know

AUSTRALIA & NEW ZEALAND

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Introduction

With international trade tariffs, inflation and labour shortages, heavy industries involving high-risk work face mounting challenges in their capacity to deliver output on time and within budget.

Research by Sentis found that 28% of workers from these high-risk industries experience pressure from their direct supervisors to prioritise production over safety.[1] This is a concerning trend — expectations to meet deadlines or targets can often lead to circumvention of safety procedures and compromise of safety standards.

In this guide, we will examine seven hidden and often underestimated risks that safety leaders should pay attention to. We will explain how innovative technology can help mitigate these risks to create safer workplaces.

This resource is designed to help safety champions and compliance professionals in mining, energy, industrial manufacturing, construction and other high-risk sectors achieve safety excellence without sacrificing business agility.

28%
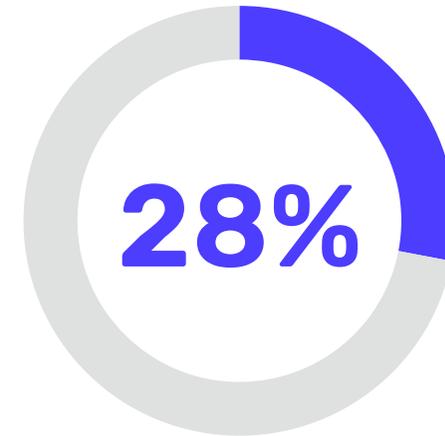
of workers experience pressure to prioritise production over safety[1]

01 Risk 1: Lack of workforce competency assurance

NSW company fined $300,000 after warehouse worker struck by reversing forklift

An investigation found forklift driver was not licensed to do so.

Reported in: 7NEWS, Australia[2]

Logistics manager of trucking company jailed over crash that killed four police officers in VIC

Trucking company alleged of contravening its duty by failing to ensure drivers were assessed and monitored for fatigue, drugs and alcohol.

Reported in: Nine News, Australia[3]

Esperance business owner jailed after pleading guilty to gross negligence that led to death of young worker

WorkSafe found that neither worker held the necessary high-risk work licences for the job they were performing.

Reported in: ABC News, Australia[4]

NZ construction company fined over $500,000 after death of worker

Worksafe found the worker was hired as a labourer and not licensed to drive the truck which weighed more than six tonnes.

Reported in: 1News, New Zealand[5]

What do these workforce fatalities in the news have in common? The workers involved in the incidents did not have the right certifications, credentials and clearances, but were still permitted to perform tasks or operate machinery on site.

Lacking assurance of workers' qualifications and competencies is one of the biggest contributors to safety incidents. Yet site management and safety leaders often lack real-time visibility into the currency of workers' credentials.

As a safety leader, if you are not fully confident in answering these questions about each worker on the job site, it is time to review the model for workforce compliance management in your organisation.

- Does the worker have the right qualifications or licence to perform the task?
- Is the certificate still valid and up to date, as of today?
- If a tradesperson obtained the relevant certification 10 years ago, can he/she still perform the work competently today?

02 Risk 2: Veracity of worker certificates and credentials

False work licence prompts warning
Falsified High Risk Work Licence enabled a man to perform dangerous work in and around Geraldton, Western Australia.
Reported in: The Geraldton Guardian, Australia[6]

Man forges police clearance in sly attempt to get mining job
Reported in: The West Australian, Australia[7]

Fraudulent certificates is a hidden danger lurking in the background that is easily missed. No matter how rigorous safety policies or training might be, it does not guard organisations against identity frauds and fake qualifications.

Whether it is a mine, construction site or chemical processing plant, genuine certificates are crucial in preventing workplace injuries and fatalities.

Companies have an obligation to not only collect supporting evidence of competency but also determine its veracity. They must verify the authenticity of the relevant document.

03 Risk 3: Managing a contingent workforce

Mining, energy and industrial manufacturing industries rely heavily on contract workers. The complexities and risks of managing contingent workforces are higher than that of permanent employees. Contingent workers include contractors, temporary workers, casual staff, apprentices, volunteers and home-based workers.

They are not on the company's regular payroll and may not have the same level of access to key internal systems, so it can be challenging to verify and keep track of their credentials, as well as enforce your standard safety requirements with them.

Onboarding transient workers with specialist skills and licences requires more effort and rigour as you cannot fully rely on internal systems and processes.

It is important to be aware that statutory compliance around safe work applies to all types of workers including contingent workers. Safety professionals of host companies need to make sure there is consistency in coverage to avoid compliance risks.

04 Risk 4: Industrial manslaughter now criminalised

While safety leaders are well-versed in managing physical safety, it can be difficult to keep up with the regulatory changes and differences in legislation across multiple jurisdictions. This can lead to an underestimation of the legal and financial risks associated with workplace safety incidents.

As of October 2024, new legislation has come into force across all Australian states and territories establishing industrial manslaughter as a criminal offence (see Table 1).

The new law imposes harsh penalties, including heavy fines and imprisonment, for corporations and officers found guilty of breaching their duty of care to proactively review and implement changes or improvements in their safety systems to maintain a safe work environment. New South Wales, in particular, carries the highest maximum penalties of all Australian jurisdictions, imposing a $20 million fine for body corporates and 25 years' imprisonment for convicted individuals.

The bottom line — stakes are extremely high for businesses in relation to physical harm in the workplace.

Abiding by workplace safety laws in New Zealand

New Zealand has no current industrial manslaughter legislation. However, similar negligence laws can be found in the Health and Safety at Work Act 2015 Section 47, and penalties can amount to $600,000 and/or 5 years' imprisonment for businesses or business officers.[8]

Table 1: Overview of industrial manslaughter test and maximum enforceable penalty in Australia

JURISDICTION	INDUSTRIAL MANSLAUGHTER TEST	MAXIMUM PENALTY
Commonwealth	"actions of gross negligence or recklessness"	Individuals – imprisonment for up to 25 years. Body corporate – Fines of up to $18 million
NSW	"person was reckless or negligent as to whether the conduct would cause the death of an individual"	Individuals – imprisonment for up to 25 years. Body corporate – Fines of up to $20 million
SA	"grossly negligent or reckless conduct"	Individuals – imprisonment for up to 20 years. Body corporate – Fines of up to $18 million
WA	"knowing that the conduct was likely to result in death or serious harm, and disregarding that likelihood"	Individuals – imprisonment for up to 20 years and a fine of up to $5 million. Body corporate – Fines of up to $10 million
VIC	"through negligence"	Individuals – imprisonment for up to 25 years. Body corporate – Fines of up to $19.23 million
NT	"reckless or negligent about the conduct"	Individuals – imprisonment for life. Body corporate – Fines of up to $11.5 million
QLD	"through negligence"	Individuals – imprisonment for up to 20 years. Body corporate – Fines of up to $15.48 million
ACT	"reckless or negligent about causing the death"	Individuals – imprisonment for up to 20 years. Body corporate – Fines of up to $16.5 million
TAS	"engages in conduct that is negligent"	Individuals – imprisonment for up to 21 years Body corporate – Fines of up to $18 million

Source: Understanding industrial manslaughter laws: Where is Australia at in 2024?, Marsh McLennan, 22 July 2024.

05 Risk 5: Data privacy and information security concerns

Data privacy and information security are hidden compliance risks that lack awareness amongst safety teams. You might ask, isn't that the IT department's problem? Let's delve into why safety practitioners should care about these privacy and security.

Data privacy

If your organisation engages large volumes of contract workers performing high-risk work, it has to obtain supporting evidence of work competencies, including police clearance, health screening results, heavy vehicle licence, identity documents, background checks and other sensitive personal data. The collection, processing, usage and disclosure of such Personally Identifiable Information (PII) are subject to privacy legislation.

Using spreadsheets and legacy portals leads to sensitive data being uploaded or transferred multiple times, increasing the liability of your organisation in the event of privacy breaches.

In Australia, the maximum penalty for serious, repeated interferences of privacy could be as high as $50 million.[9] In New Zealand, the penalty is up to $10,000.[10]

Australian state and territory public sector privacy, health records laws, surveillance laws, telecommunications laws and critical infrastructure laws also have their own criminal penalty regimes, which may be triggered by data-related breaches. For example, under the Healthcare Identifiers Act, knowing or reckless unauthorised use or disclosure of healthcare identifiers can lead to imprisonment and financial penalties.[11]
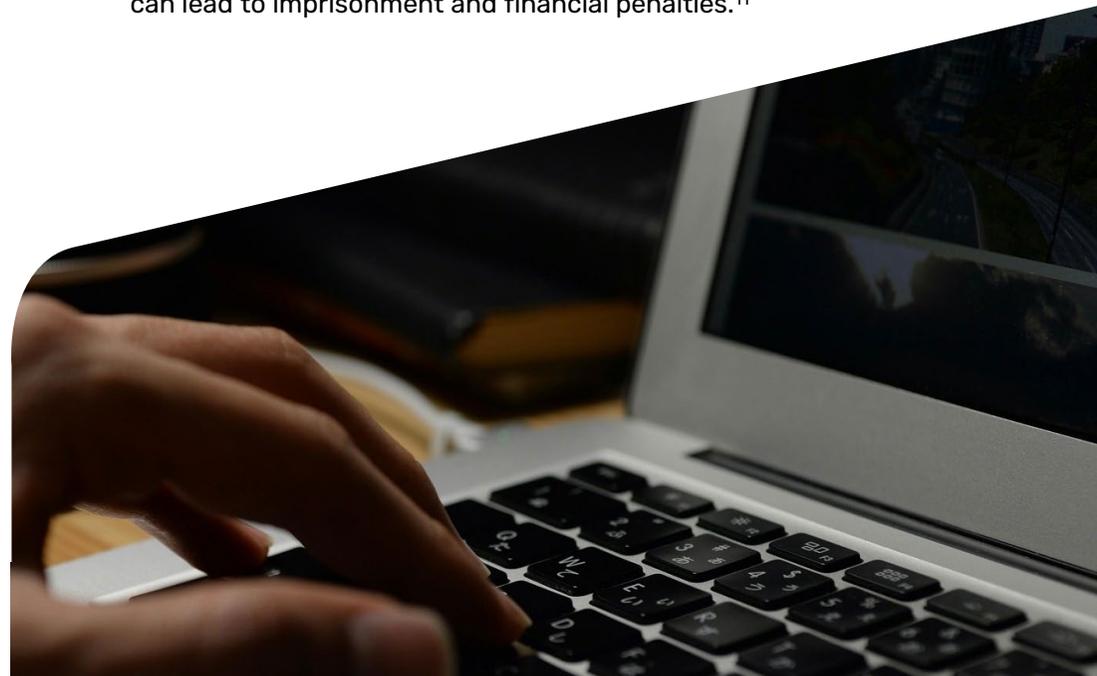
Information security

A Cybernews study revealed that 94% of the world's top 400 oil and gas companies have suffered at least one data breach to date, and nearly seven in ten of these companies are in the high-risk category for cybersecurity.[12]

Storing and sharing worker data, including that of contractors, on your corporate systems can create significant vulnerabilities in the event of a cyber attack. Not only do data losses and leaks result in reputational damage, worker data falling into the wrong hands can potentially lead to individuals being targeted for scams and other cyber crime.

94%
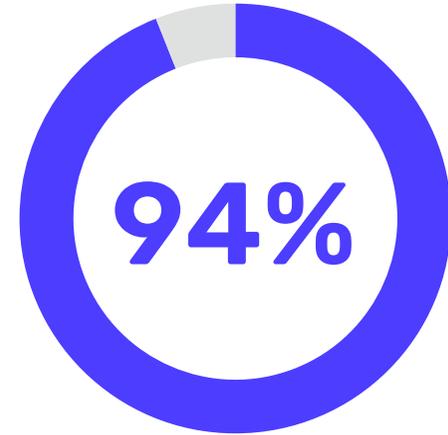
of the world's top 400 oil and gas companies have suffered at least one data breach[12]

70%
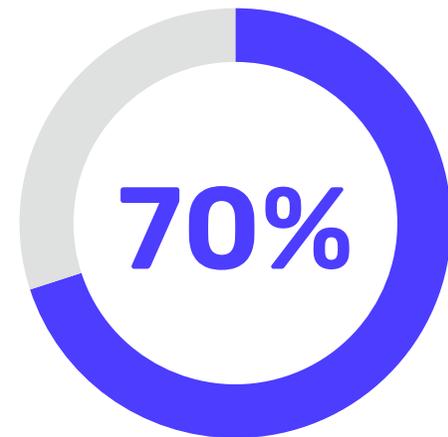
of the world's top 400 oil and gas companies are in the high-risk category for cybersecurity[12]

06 Risk 6: Psychosocial hazards underestimated

Research shows that one in three workers in Australia have been sexually harassed at work in the last 5 years.[13] Yet 40% of workplace leaders were unaware of changes to the law and new legal obligations to prevent workplace sexual harassment.[14] This indicates an underestimation of the extent of psychosocial hazards at work. Across the Tasman, Worksafe New Zealand found 35% of workers reported being exposed to at least one offensive behaviour in the past 12 months.[15]

In December 2022, positive duty on employers to eliminate workplace sexual harassment and discrimination commenced in Australia. New regulatory powers have been conferred on the Australian Human Rights Commission to investigate and enforce compliance with the positive duty — these came into effect in December 2023.[16]

This change requires employers to take reasonable steps to actively prevent sexual harassment and discrimination at work, rather than responding after the fact. Positive duty extends beyond employees to include any person carrying out work in any capacity for any organization. This reinforces the need to ensure the safety processes and systems in your company can adequately cover contingent workers.

Likewise, New Zealand employers have a legal obligation to foster psychosocial safety, based on the Health and Safety at Work Act 2015.[17]

40%
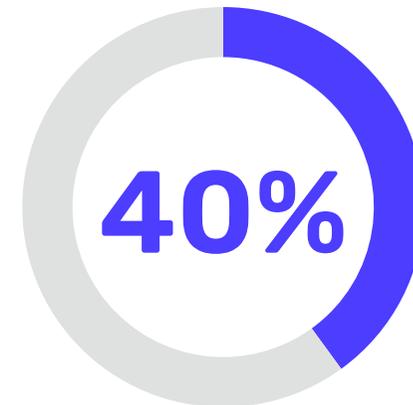
of Australian workplace leaders surveyed were unaware of changes to the law and new legal obligations to prevent workplace sexual harassment[14]

35%
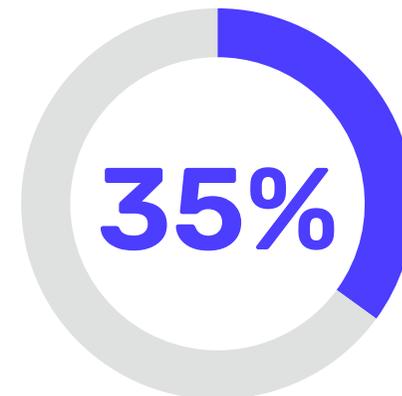
of NZ workers reported experiencing at least one offensive behaviour past 12 months[15]

07 Risk 7: The human factor

The most robust safety policies and training are not enough to realise the vision of zero harm for one simple reason — there are unpredictable elements with human behaviour. There are a number of challenges due to human nature that would always throw spanners in the works.

- **Complacency**
  Skilled and highly experienced vocational specialists can become complacent. This over-confidence in their capabilities could lead to safety measures being skipped or overlooked, as they trust their own expertise and craftsmanship more.

- **Error**
  To err is human, as the saying goes. Technology helps mitigate this issue by automating processes, minimising the margin of error.

- **Intent**
  It is difficult for policy and inductions to detect or prevent individuals acting with malicious intent.

- **Lapse in judgement**
  This happens to the best of us. When a person is under mental stress, extremely fatigued or preoccupied, temporary lapses of judgement can occur. This could result in poor decisions that compromise safety.

- **Normalisation of deviance**
  According to American sociologist Diane Vaughan, normalisation of deviance is the gradual process through which clearly unsafe practices become acceptable. As the deviant behaviour is repeated without catastrophic results, it becomes the social norm for the organisation.[18]

This is where technology can make a huge difference. Technology and automation remove biases and human fallacies, creating greater predictability in outcomes.

Reduce risks with innovative technology that improves critical controls

How do we reduce the seven risks outlined in this guide? The key is to establish critical controls throughout the process using innovative solutions like MyPass, so as to ensure the right people with the right skills are deployed on site. An industry-leading workforce competency assurance platform, MyPass offers key capabilities to help high-risk industries mitigate hidden and underestimated safety threats.

- MyPass provides a **single source of truth** for real-time assurance of worker qualifications and credentials.

- MyPass **validates certificates for authenticity**, identifying and intercepting fraudulent documents.

- MyPass' worker-friendly **digital Skills Passport** empowers individual workers to take ownership of their own certifications and competencies. The Skills Passport is free for all types of workers, including permanent staff and transient workers.

- MyPass incorporates a Learning Management System (LMS) for organisation- or site-specific inductions to bridge training gaps, especially for contractors.

- MyPass keeps worker certifications and credentials current with automated reminders of upcoming expiry.

Measurable results seen by MyPass customers

27%

Reduction in non-compliant worker access

35

Fraudulent certificates intercepted monthly

Lowest

Ever Total Recordable Injury Frequency Rate (TRIFR)

Supporting psychosocial safety with MyPass

The profile de-duplication and tagging capabilities in MyPass can be used to combat psychosocial hazards in the workplace, supporting your organisation in fulfilling your positive duty. With MyPass, your team can demonstrate proactive measures and controls have been put in place to prevent sexual assault and harassment.

Profile de-duplication

- Validates a worker's profile details to ensure it matches the accepted identification document uploaded to MyPass.

- Ensures a worker's profile is unique and a duplicate profile does not exist in MyPass.

- MyPass' unique identifier prevents repeat offenders from rejoining the team through another contractor or by creating a new profile.

Tags

- Tags identify workers based on specific criteria, such as location, skills, or other relevant attributes.

- Custom values can be added to tags, along with notes and attached documents.

- Personnel with record of poor conduct can be flagged for review before re-assignment or allowing access.

- Tags can be shared with affiliated Business Partners.

Driving compliance for data privacy and information security with MyPass

MyPass helps organisations manage workforce competency data without compromising data privacy and security. Unlike other legacy portals and the use of spreadsheets, data in the MyPass Skills Passport is portable. The same data set can be used for multiple sites and projects, avoiding manual re-keying and repetitive uploads.

The worker owns and uploads the relevant documents to MyPass. Employers and their suppliers are not required to store and manage the data on their corporate systems. By avoiding PII and other sensitive data from being transferred multiple times across various systems, MyPass helps reduce the organisation's liability for any privacy violations and security breaches.

Connecting all parties in the resourcing ecosystem enables standardisation, simplification and collaboration across the industry.

Balancing worker safety, organisational compliance and business efficiency

Workplace Health and Safety is often perceived by the wider business as a productivity hindrance. Here are the ways MyPass can help you achieve safety excellence without compromising business agility.

Portability of worker data across multiple sites and projects makes it faster for workers to be site-ready.

Faster mobilisation of compliant workers reduces project delays or service delivery issues.

Significantly reduce admin overhead, resource hours and document verification fees by eliminating manual, repetitive process steps.

Access to worker certification history avoids unnecessary repetitive training, which means faster time to productivity.

Productivity gain and safety improvement realised by MyPass customers

A$7.5M
Productivity savings from reduction in admin time and effort

30%
Lower All Injury Frequency Rate

3x
Faster worker mobilisation

100
Hours time savings in compliance cycle

Recommended actions to mitigate risks

This guide has highlighted the seven risks safety and compliance leaders cannot afford to ignore — from competency assurance, contractor management, regulatory exposures to human attributes. Here are the recommended actions to mitigate these risks.

Step 1: Act now — regulation is outpacing readiness

The regulatory landscape is changing rapidly and legislation will only continue to tighten. Acting now is no longer about compliance alone — it's about protecting lives, reputation and the long-term viability of your business. Organisations must prepare for a future where safety leadership is measured not just by response, but by foresight and system resilience.

Step 2: Build a business case grounded in robust change management

Start by capturing metrics on the time, effort and spend on "jobs to be done" in your current state:

- How long does it take to get a worker site-ready?
- How many admin staff are involved in document verification?

- How many steps are required to worker compliance?
- What is the true cost of delays or downtime?

This "before" picture is critical for quantifying return on investment, justifying a new approach, and building a robust change management plan that addresses people, process, and technology. It also creates a baseline for you to measure the difference in the "after" state.

Step 3: Work with a trusted partner

Choose to work with a technology partner with domain expertise in your industry, taking the role of a trusted strategic advisor to guide your transition from manual, high-risk models to a proactive, data-informed safety ecosystem. Your ideal partner should support you every step of the journey, helping you embed critical controls, standardise compliance processes, and navigate change with confidence.

Final Note

The most costly risks are the ones hiding in plain sight. Use this guide as a catalyst to re-evaluate and future-proof your safety systems — before regulations or incidents force your hand.

References

1. The Safety Leadership Link, Sentis, 2017.
2. Company fined after warehouse worker struck by reversing forklift, 7News, September 2023.
3. Eastern Freeway logistics manager jailed over crash that killed four police officers, Nine News, January 2024.
4. Esperance business owner jailed after pleading guilty to gross negligence that led to death of Jake Williams, ABC News, May 2021.
5. Construction company fined over $500,000 after death of worker, 1News, May 2019.
6. False work licence prompts warning, The Geraldton Guardian, November 2015.
7. Man forges policy clearance in sly attempt to get mining job, The West Australian, October 2022.
8. Workplace manslaughter in Australia and New Zealand, FCW Lawyers, September 2022.
9. Guide to privacy regulatory action, Office of the Australian Information Commissioner, December 2024.
10. The 'New' New Zealand Privacy Act is more in line with Australia's, but there are still some stark differences, HWL Ebsworth Lawyers, March 2021.
11. Commonwealth Consolidated Acts, Australasian Legal Information Institute.
12. Over 50% of the top oil and gas companies suffered data breaches in the past 30 days, Cybernews, May 2025.
13. Time for respect: Fifth national survey sexual harassment workplaces, Australian Human Rights Commission, November 2022.
14. Workplace Sexual Harassment, Our Watch, September 2024.
15. New Zealand Psychosocial Survey, WorkSafe New Zealand, June 2022.
16. Guidelines for Complying with the Positive Duty under the Sex Discrimination Act 1984 (Cth), Australian Human Rights Commission, August 2023.
17. Mental health at work – employer's obligations, Dentons Kensington Swan, October 2024.
18. Normalization of Deviance, Psych Safety, November 2023.

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About MyPass Global

MyPass® empowers safe, agile and connected communities. Our workforce competency assurance platform provides a single source of truth to help companies in high-risk industries reduce their risk and cost of operations. MyPass simplifies workforce compliance and competency management by empowering workers to take ownership of their training and credentials using a portable, digital Skills Passport, without compromising data privacy and security.

We have been helping companies such as BHP, Woodside Energy, Shell and Programmed improve safety performance, reducing all injury frequency rate by 30% and achieving 47% higher completion rate of business conduct and healthy workplace training. Visit our website and schedule a meeting to learn more.

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