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Government
of South Australia

SafeWork SA

Application for proposed **ENFORCEABLE UNDERTAKING**

The commitments in this undertaking are offered to the Regulator by

RUEDIGER CONSTRUCTION PTY LTD

ABN 34 600 439 585

OFFICIAL

GENERAL INFORMATION:

The information provided in this document is for the purpose of applying for an enforceable undertaking (EU) under Part 11 of the *Work Health and Safety Act 2012* (SA) (the Act) in lieu of potential prosecution.

The information will be managed in accordance with the confidentiality provisions of the Act and the SafeWork SA Confidentiality of Information Policy.

If an EU is accepted by the Regulator, both the EU agreement and the Reasons for Decision Notice will be published on the SafeWork SA website within 28 days. EU's and the Reasons for Decision Notice will remain on the SafeWork SA website and will only be removed at the discretion of the Regulator.

Refer to the 'Enforceable Undertaking Application Guidelines' for further guidance on completing this application.

COMMENCEMENT OF UNDERTAKING

The EU will take effect when the Regulator accepts the EU Application. The date of acceptance is the date the Regulator (or their delegate) signs the EU application.

The EU agreement will not exceed 18 months in duration unless permission has been given by the Regulator to extend the duration to 24 months.

The Undertaking will conclude on written advice from the Regulator to the applicant when all requirements of the undertaking have been satisfactorily completed.

SECTION 1: GENERAL INFORMATION

1.1 Details of the applicant proposing the undertaking

Nominated person: <small>(Point of contact for SafeWork SA communications)</small>	Tyson Ruediger
Street address:	6 Paxton Street, Willaston SA 5118
Postal address:	As above
Telephone:	0448 806 299
Email address:	tyson.ruediger@rcpl.com.au
Legal structure:	Company
Type of business:	Construction and manufacturing
Date business registered:	1 July 2014
No of Workers: Full time:	19
Part time:	
Casual:	2
Products and services:	First fix carpentry and the manufacturing and installation of prefabricated timber.
Comments:	The Company is a small, family-owned business which at the time of this EU's acceptance, employs 21 employees, including its sole director, Tyson Ruediger.

1.2 Details of the characterised or alleged contravention

On 27 March 2025, Ruediger Construction Pty Ltd (the **Company**) was served with an Information and Summons which alleged that:

Count 3 - Second Defendant

1. The second defendant (the Company), on 19 April 2023, at Stirling in the State of South Australia, committed a Category 2 offence.

(A minor indictable offence against section 32 of the *Work Health and Safety Act 2012*).

Particulars of offence

1.1. The second defendant had a health and safety duty:

- 1.1.1. At all material times, the second defendant was a body corporate conducting a commercial and residential carpentry business.
- 1.1.2. At all material times, the first defendant (AMS) was engaged as the principal builder for the residential construction project located at Stirling SA 5152 ('the site').
- 1.1.3. At all material times, the second defendant was engaged by the first defendant to provide first fix carpentry services for the residential construction project ('the task').
- 1.1.4. At all material times, the second defendant engaged workers, including the injured worker to assist with the task at the site.
- 1.1.5. The second defendant had a health and safety duty prescribed by section 19(1) of the Act to ensure, so far as reasonably practicable, the health and safety of workers it engaged while they were at work in its business.

1.2. The second defendant failed to comply with that duty:

- 1.2.1. Whilst at work at the site, the workers were exposed to a risk to their health and safety because:
 - 1.2.1.1. The workers were required to undertake the task at the site.
 - 1.2.1.2. The task involved high risk construction work.
 - 1.2.1.3. The workers were required to undertake the task whilst working on the first floor of the site.
 - 1.2.1.4. The first floor of the site was approximately 3.5 metres above a ground floor concrete slab.
 - 1.2.1.5. The first floor of the site contained an unguarded stair void that measured approximately 4.1 metres x 3.6 metres.
 - 1.2.1.6. It was possible for a worker to fall through the unguarded stair void onto the ground floor concrete slab.
 - 1.2.1.7. It was possible for such a worker to suffer serious injuries from such a fall.
- 1.2.2. The second defendant failed to provide and maintain, so far as was reasonably practicable, a safe system of work for the task, because it failed to

perform an adequate hazard identification and risk assessment process specific to the task - and consequently:

- 1.2.2.1. Failed to identify the hazard presented by working on the first floor of the site containing an unguarded stair void; and
 - 1.2.2.2. Failed to assess the risk of a worker falling through such an unguarded stair void; and
 - 1.2.2.3. Failed to ensure that appropriate control measures were put in place to eliminate and/or minimise the risk of that happening (by ensuring that a site-specific Safe Work Method Statement was prepared that identified the task as high risk construction work and that ensured that the stair void was guarded and a fall prevention device was provided prior to work being undertaken on the first floor).
- 1.3. The second defendant's failure exposed an individual to a risk of death or serious injury:
- 1.3.1. Being the risk of death or serious injury arising from working on the first floor of the site containing an unguarded stair void through which a worker could fall; and
 - 1.3.2. Which risk materialised on 19 April 2023 when the injured worker suffered serious injuries as a result of falling 3.5 metres through an unguarded stair void onto the ground floor concrete slab.

Count 4 - Second Defendant

2. The second defendant (the Company), on 19 April 2023, at Stirling in the State of South Australia, committed an offence against section 46 of the *Work Health and Safety Act 2012*.

(A summary offence against section 46 of the *Work Health and Safety Act 2012*).

Particulars of offence

- 2.1. The second defendant had a health and safety duty:
- 2.1.1. At all material times, the second defendant was a body corporate conducting a commercial and residential carpentry business.
 - 2.1.2. At all material times, the first defendant (AMS) was engaged as the principal builder for the residential construction project located at Stirling SA 5152 ('the site').
 - 2.1.3. At all material times, the second defendant was engaged by the first defendant to provide first fix carpentry services for the residential construction project ('the task').

2.1.4. At all material times, the second defendant engaged workers, including the injured worker to assist with the task at the site.

2.1.5. The second defendant had a health and safety duty prescribed by section 19(1) of the Act to ensure, so far as reasonably practicable, the health and safety of workers it engaged while they were at work in its business.

2.2. The second defendant failed to comply with that duty:

2.2.1. The second defendant failed to adequately consult, co-operate or co-ordinate with the first defendant to ensure that the first defendant provided and maintained, so far as was reasonably practicable, a safe work environment without risks to health and safety.

2.2.2. The second defendant failed to adequately consult, co-operate or co-ordinate with the first defendant to ensure that the first defendant provided and maintained, so far as was reasonably practicable, a safe system of work for the task to be undertaken at the site.

1.3 Detail the events surrounding the characterised or alleged contravention

At approximately 11:00am on 19 April 2023, workers from the Company attended a double-storey residential build site (**Site**) managed by the AMS Built Pty Ltd (**AMS**) to perform first-fix carpentry services.

AMS had organised edge protection scaffolding and void protection for the approximately 4.1 x 3.6 stairwell void on top of the first storey. However, this had been delayed and was not yet installed, and the wait on it had not been communicated to the Company.

Three of the Company's workers (including the injured worker) were working atop the first storey, putting together the window frames. This involved the injured worker walking backwards atop the first storey dropping the window studs into place for the other two workers to "shoot in" with nail guns.

The injured worker walked backwards through the unguarded stairwell void and fell 3.5 metres onto the ground floor concrete slab, suffering a mild traumatic brain injury with small intracranial haemorrhages, cranial fracture and undisplaced facial fractures, alongside multiple head and neck injuries and bone bruising on his right knee.

1.4 Details of any enforcement notices issued that relate to the characterised or alleged contravention

Tick if there were no notices issued by SafeWork SA in relation to the contravention.

Date issued	Notice type	Notice number	Contravention or prohibited activity	Notice Directions	Action taken in response to notice
20.4.2023	Prohibition Notice	WHSPN 234356	All work and access to first floor of site prohibited.	Review and revise controls for risk of falls from one level to another and ensure these are reflected in SWMS.	Immediate meeting and review of factors and circumstances leading to incident. Brainstorming and updating of all site SWMS to ensure site-specific, and internal review of all safety systems conducted.
20.4.2023	Improvement Notice	WHSIN 234357	No site-specific SWMS for high-risk construction work with risk of falls over 3m in height.	Ensure site-specific SWMS prepared, ensuring fall controls are listed and appropriate, and ensure all workers signed on.	Site-specific SWMS prepared, listing implemented fall controls deemed appropriate, and all workers at site signed on.

1.5 Detail the injury or illness suffered by worker/s or other/s as a consequence of the characterised or alleged contravention detailed above

The injured worker suffered a mild traumatic brain injury with a sub galeal haematoma, a cranial fracture (right temporal bone) and non-displaced facial fractures, alongside multiple head and neck injuries and bone bruising on his right knee

1.6 Detail the employment, workers' compensation and insurance status regarding the person who sustained injury or suffered illness as detailed in 1.5

The injured person is:

- an employee of the entity
- a self-employed person
- other – Please provide details
- not applicable

Status: The injured person engaged in a graduated return to work per the Return-to-Work process and regained full work capacity in late October 2023. The injured worker has since resigned from his employment with the Company, to take up a new opportunity within the sector.

1.7 Detail the support provided or proposed by the applicant to the injured person and/or family or other/s

Date	Description of support	Comments and costs
19 April 2023	Immediately following the injured worker's fall, his colleagues attended to him to staunch his bleeding. They called an ambulance and his family.	N/A
19 April 2023	The Company advised the workers that support and counselling was (and would be) available to them following the incident. It discussed what should have been done to prevent to incident and then provided the workers with the rest of the afternoon off.	N/A
April 2023 (ongoing)	All staff (including Tyson Ruediger) reached out to the injured worker to support him and keep updated on his recovery.	N/A
May/June 2023	<p>Discussions with AMS regarding AMS offering training for a Coordinator/Office position with AMS to enable injured worker to re-enter the workplace.</p> <p>These discussions included what could be offered, estimations, drawing review, budgeting and associated matters relating to role.</p> <p>The Company ultimately advised that the injured worker had returned to work on light duties.</p>	N/A
June 2024 until injured worker's resignation	The Company provided support and suitable duties to facilitate the injured worker's return to work	The injured worker regained full work capacity in October 2023, prior to his later resignation.
May/June 2025	Discussions and correspondence with injured worker offering him involvement in the industry and community activities at 3.3 and 3.4.	Injured worker provided a positive response and indicated he would like to be involved.

1.8 Detail the work, health and safety systems implemented at the workplace pre incident

Prior to the incident, the Company relied on:

- generic SWMS
- a suite of WHS policies and procedures
- Job Safety Analysis
- toolbox meetings most days prior to commencing work, and
- initial site walkthroughs and regular subsequent inspections to ensure safety at its work sites.

1.9 Detail the level and frequency of internal and external auditing undertaken on the work, health and safety systems referred to in term 1.8

Prior to the incident, the Company had not engaged external auditors on the WHS systems outlined in section 1.8.

The Director of the Company conducted and reviewed WHS responsibilities, including annual audits of the Company's WHS systems and documents.

The incident has highlighted that improvements should and must be made, and the Company is committed to increasing the level of internal and external auditing as detailed in this undertaking via the various initiatives at clause 3.2.

1.10 Details of any consultation undertaken with respect to this application – this may include consultation with injured person(s), workers, industry members or with the community

The Company has broadly spoken with its employees and other builders about the benefits of this application and begun discussions with the injured person and will continue same. It has also made reasonable enquiries with members of the community in preparing this application, including a local member of parliament.

1.11 Detail the rectifications to the workplace or work practices made as a result of the characterised or alleged contravention and the enforcement notices issued

The post-incident rectification measures undertaken by the Company included:

- an immediate post-incident review of its WHS policies, procedures and processes
- completion of a site-specific SWMS for the incident site and other sites worked at by the Company

- a company-wide “review meeting” to discuss the incident, how it could have been avoided, prevention measures and expected safety standards moving forward, and
- the strict ongoing implementation of safety meetings on a more frequent basis, including daily toolbox meetings.

Total amount spent on rectifications \$ Nil (excluding wages)

SECTION 2: GENERAL TERMS

The applicant acknowledges and commits to the general terms set forth in the sub-terms below.

2.1 Acknowledgement that the Regulator characterised or alleged that a contravention occurred as detailed in term 1.2

It is acknowledged that SafeWork SA alleges contraventions of the *Work Health and Safety Act 2012* (SA) in relation to the incident as detailed in term 1.2.

2.2 Statement of regret that the characterised or alleged contravention occurred and the reasons the applicant considers this undertaking is a more appropriate response than a prosecution

The Company deeply regrets the events of 19 April 2023 and the injuries sustained by the injured worker, who was a valued member of the Company's team and whom many of its workers remain close with today even though the worker has since taken a new employment opportunity. These events have not only deeply impacted his life but have had a profound effect on the Company's director, other workers and their attitudes towards safety.

The Company considers this undertaking an opportunity to ensure that system-wide improvements identified to mitigate WHS risks are adopted, implemented, and enforced, to ensure future safety incidents do not arise. This undertaking will enable the Company to direct its energies and resources into WHS system improvements for the benefit of its workers, and to ensure they never need to experience such a tragedy again.

The Company recognises the significance and potential for industry wide benefits to stem from the learnings connected with the events of 19 April 2023. The Company is committed to understanding and communicating its learnings, specifically regarding the importance of:

- site-specific SWMS
- edge and void protection for working at heights
- developing safe systems of work
- collaborating, consulting, and coordinating with shared WHS duty holders, and
- the provision of information, instruction, and supervision to workers within the industry more broadly via the initiatives set out in this undertaking.

2.3 Acknowledgment of the guidelines published by the Regulator for the acceptance of an undertaking

I have read and understood the **Guidelines for the acceptance of an enforceable undertaking**

Version: 3

Dated: September 2024

2.4 Acknowledgement that this undertaking is a matter of public record and will be published on acceptance

The Company acknowledges that the undertaking will be published on the SafeWork SA website (in accordance with Section 217(2) of the Act) and referenced in SafeWork SA material.

2.5 Statement of the applicant's ability to comply with the terms of this undertaking and meet the projected costs of the activities

2.5.1 The Company has the financial ability to comply with the terms of this undertaking and on request by the Regulator, can provide evidence to support this declaration.

2.5.2 In the event of impending liquidation or sale of the entity, the Company will advise the Regulator of the relevant circumstances and its capacity to comply with the outstanding terms of this undertaking.

2.6 Statement regarding applicant's relationship with any corporations, officers, employees, contractors, proposed beneficiaries of donation, sponsorship or scholarship or other recipient of financial benefit contained in this undertaking

The Company confirms that there are no relationships with any corporations, officers, employees, contractors, proposed beneficiaries of donations or scholarships or other recipients of financial benefits contained in this undertaking, except that the Company's director is both an occasional volunteer and a parent within the Willaston Football Club referred to in activities 3.4.1 and 3.4.2.

2.7 Statement regarding Intellectual Property Licence

The Company grants SafeWork SA a permanent, irrevocable, royalty-free, world-wide, non-exclusive licence to use, reproduce, publish, distribute, electronically transmit, electronically distribute, adapt and modify any materials developed as a result of this undertaking.

2.8 The applicant acknowledges Annexure A must be completed and submitted to the Regulator when making an EU application.

The Company acknowledges that Annexure A must be completed and submitted to the Regulator when making and EU application.

2.9 Statement of commitment from the applicant to participate constructively in all compliance monitoring activities for this undertaking

2.9.1 It is acknowledged that the Regulator will conduct compliance monitoring to ensure compliance with the terms of this undertaking.

2.9.2 Cooperation will be given to allow the Regulator's officers to assess compliance including giving access to relevant material (evidence of compliance).

2.9.3 It is acknowledged that the applicant is responsible for demonstrating compliance with this undertaking and evidence of compliance must be provided by the agreed due date.

2.9.4 An update, in relation to the compliance status with each of the enforceable terms of this undertaking will be provided to the Regulator at three monthly intervals during the undertaking.

2.9.5 It is acknowledged that any proposed variations to a term must be submitted to the Regulator no later than 14 days prior to the terms agreed completion date.

2.10 Where possible, the applicant commits to linking the benefits of the activities to the risks that led to this undertaking

The Company is aware of the relevance of the lessons learnt from the incident and is committed to promoting associated learnings. The Company is committed to disseminating this information to its industry, employees, and contractors to raise awareness of effective WHS management systems, the use of safe work practices, site-specific SWMS, and edge and void protection for working at heights. The Company is committed to promoting the benefits contained within this undertaking and to the undertaking itself.

2.11 If charges have been laid against the applicant and withdrawn as a result of the Regulator accepting an EU agreement, the Company agrees to not seek any costs from the Regulator.

The Company agrees to not seek costs against the regulator where the charges are withdrawn by virtue of the regulator accepting an EU agreement.

SECTION 3: ENFORCEABLE TERMS

The applicant acknowledges all activities set forth in the enforceable terms below must be auditable and include a date for completion and a minimum cost for each activity.

The applicant commits to performing the activities below diligently, competently and by the respective completion date.

3.1 A commitment to disseminate information about this undertaking to workers, and other relevant parties, and in the annual report (if applicable)

(This may include dissemination to work health and safety representatives and in the annual report, if applicable)

Dissemination will be achieved by doing the following: The Company will provide a copy to all employees via email and include a session on the EU at the Company-wide trade day as set out as an activity within this EU.

Dissemination will occur by (timeframe): Email within one month and trade day conducted within 12 months.

List the evidence that will be provided to the Regulator to demonstrate completion: Email and trade day agenda.

3.2 Activities to be undertaken to promote the objects of the *Work Health and Safety Act 2012 (SA)* that will deliver benefits for workers/others

Activities	Minimum cost	Timeframe
<p>3.2.1</p> <p>The Company will purchase a scissor lift (JLG – ES2646 X2), platform ladders, and new harnesses to minimise the need for workers to work from A-frame ladders. A-frame ladders generally pose a greater risk of falls due to having exposed edges. Scissor lifts and platform ladders (of the type proposed) contain edge protection, which reduces fall risks.</p> <p>In addition, the Company will develop a Standard Operating Procedure (SOP) for the new plant and</p>	<p>\$ 65,000</p>	<p>18 months from acceptance</p>

	<p>provide associated training to relevant workers.</p> <p>The Company will provide the Regulator with the following (evidence) to demonstrate compliance:</p> <ul style="list-style-type: none"> • Invoice and payment records for the purchase of the scissor lift, platform ladders and harnesses • Copy of the SOP's created for the new plant purchased • Training records associated with the use of the new plant purchased. 		
3.2.2	<p>Although the Company already has 2 trained first aid officers, the Company will put all employees (currently 21) through a first aid training course (\$110.00 per person) to ensure first aid is readily available at its work sites.</p> <p>The Company will provide the Regulator with the following (evidence) to demonstrate compliance:</p> <ul style="list-style-type: none"> • Invoice and payment records for the training provider • Attendance list and training certificates (or alike). 	<p>\$ 13,230</p> <p>(The cost allocated includes wages for attendance)</p>	<p>12 months from acceptance</p>

3.2.3	<p>The Company will re-induct all site crew workers with a specific focus on learnings from the incident and the contents of this EU. This will require all staff to 'down tools' to attend the re-induction.</p> <p>The cost involved is an estimate of the wages of all staff attending the re-induction.</p> <p>The re-induction will cover the activities in this EU and will include the video content created as part of this EU. In addition, workers will be tasked with developing a safety action list.</p> <p>The Company will provide the Regulator with the following (evidence) to demonstrate compliance:</p> <ul style="list-style-type: none"> • Re-induction course content • Copy of the safety action list generated • Attendance list signed by workers. 	\$5,200	6 months from acceptance
3.2.4	<p>The Company will put its existing apprentices and tradespeople (10 in total) through refresher training on working at heights via Access Training Centre.</p> <p>The Company will provide the Regulator with the following</p>	Not less than \$9,150	12 months from acceptance

	<p>(evidence) to demonstrate compliance:</p> <ul style="list-style-type: none"> • Invoice and payment records for the training provider • Attendance list and training certificates (or alike). 		
3.2.5	<p>The Company will hire a permanent part-time general WHS Manager to administer WHS functions and ensure compliance with WHS legislation, regulations, and guidelines. The WHS Manager will be paid an annual salary of \$60,000 for a minimum period of 2 years.</p> <p>The Company will provide the Regulator with the following (evidence) to demonstrate compliance:</p> <ul style="list-style-type: none"> • Position description • Signed employment contract • Wage records. 	\$120,000	3 months from acceptance
3.2.6	<p>The Company will pay for four leading hand site workers to attain scaffolding licensing. This will involve the workers' completing a 5-day training course on full pay.</p> <p>The Company will provide the Regulator with the following (evidence) to demonstrate compliance:</p>	\$14,200 (the cost allocated includes wages for attendance)	6 months

	<ul style="list-style-type: none"> • Invoice and payment records for the training provider • Training certificates (or alike). 		
3.2.7	<p>The Company will engage an ISO certified auditor to conduct an external audit or peer review of its WHS systems, and subsequent check-in on a six-monthly basis over a period of two years.</p> <p>The audit will produce an action plan to enable the Company to systematically address any identified gaps/areas for improvement.</p> <p>The Company will provide the Regulator with the following (evidence) to demonstrate compliance:</p> <ul style="list-style-type: none"> • Invoice and payment records for the auditor • Copy of the completed audit (audit report or alike) • Copy of the action plan generated from the audit. • Copy of the report (or alike) detailing the outcome of the 6 monthly monitoring undertaken by the external auditor. 	\$5,000	<p>6 months from acceptance – for completion of audit and development of action plan</p> <p>24 months from acceptance – for 6-monthly monitoring by external auditor</p>

<p>3.2.8</p>	<p>The Company will purchase and implement HazardBook workplace health and safety management software or similar software to facilitate efficient and timely management of its WHS obligations. The software allows for immediate reporting of hazards via a centralised IT system. Consequently, the Company will be able to review relevant data/analytics to better understand WHS outcomes.</p> <p>The Company commits to an ongoing subscription for at least two years.</p> <p>The cost of this software will include its purchase, set-up, and the downtime during this process.</p> <p>The Company will provide the Regulator with the following (evidence) to demonstrate compliance:</p> <ul style="list-style-type: none"> • Invoice and payment records associated with purchasing and implementing the software • WHS data captured via the software, including usage information. 	<p>Not less than \$10,000</p>	<p>12 months from acceptance</p>
<p>3.2.9</p>	<p>The Company will purchase a drone to conduct site safety overviews and assessments.</p> <p>This will enable to Company to ensure satisfactory edge and void</p>	<p>\$3,500</p>	<p>12 months from acceptance</p>

	<p>protection is in place prior to commencing work at heights, without the need for workers to physically inspect the site.</p> <p>The Company will develop a SOP in consultation with the drone provider and AMS, and the provider will provide associated training to relevant workers at the Company and AMS.</p> <p>The Company will provide the Regulator with the following (evidence) to demonstrate compliance:</p> <ul style="list-style-type: none"> • Invoice and payment records for drone cost (including any cost for development of SOP) • Training records / attendance list • A copy of the SOP • Three examples of risk assessments performed using the drone. 		
3.2.10	<p>The Company will conduct a company-wide safety training day with a focus on WHS in the residential construction industry (in conjunction with AMS Pty Ltd and its subcontractors) to spread awareness of safe work practices.</p> <p>The training day will focus on safety measures pertinent to residential building, in addition to culture and team building activities to instil safety values.</p>	<p>Not less than \$10,920 (The cost allocated includes wages for attendance)</p>	<p>12 months from acceptance</p>

	<p>The Company will provide the Regulator with the following (evidence) to demonstrate compliance:</p> <ul style="list-style-type: none"> • Training day agenda and course content • Attendance list signed by workers. 		
<p>Total minimum cost of benefits for workers/others</p>	<p>\$256,200</p>		

3.3 Activities to be undertaken to promote the objects of the *Work Health and Safety Act 2012 (SA)* that will deliver benefits for industry

Activities	Minimum cost	Timeframe
<p>3.3.1</p> <p>The Company will host a presentation and drinks for the Frame and Truss Manufacturers Association (FTMA) and deliver a presentation and safety video (as per below at 3.3.4) to increase WHS awareness for attendees.</p> <p>FTMA is the peak industry body for fabricators and suppliers of Australian timber in the frame and truss sector. It represents over 160 members nationally.</p> <p>The presentation will be promoted via the FTMA website. This will help spread awareness of the presentation and encourage attendance. The presentation will be delivered to a minimum of 20 workers.</p> <p>The Company will provide the Regulator with the following (evidence) to demonstrate compliance:</p> <ul style="list-style-type: none"> • Presentation content • Invoice and payment records for the venue • Attendance list signed by attendees • FTMA website link to promotional material. 	<p>\$ 2,500</p>	<p>12 months from acceptance</p>
<p>3.3.2</p> <p>The Company will sponsor a St Patrick's Technical College (SPTC) student to complete a Certificate II in construction pathways, with a focus on safety.</p> <p>The student will be selected by SPTC via a merit process, at their discretion.</p> <p>SPTC is a vocational trade school focused on senior education (years 10, 11 and 12) and specialises in vocational education programs for students who wish to include a school-based apprenticeship as part of their SACE.</p>	<p>\$ 4,275</p>	<p>12 months from acceptance</p>

	<p>The Company will provide the Regulator with the following (evidence) to demonstrate compliance:</p> <ul style="list-style-type: none"> • Invoice and payment records (or alike) confirming payment of the sponsorship • Written confirmation from SPTC confirming the student was selected via a merit process • Evidence the selected student is enrolled into the Certificate II in construction pathways. 		
3.3.3	<p>The Company will pay for a minimum of five work experience days for five SPTC students with the Company (25 days total), which will include a focus on site safety training.</p> <p>In addition, the company will pay for the five SPTC students to complete a White Card course with a registered training organisation. A White Card is a general construction industry induction card, and the training includes WHS aspects.</p> <p>If the fee is less than the amount attributed, the remaining amount will be donated to SPTC.</p> <p>The Company will provide the Regulator with the following (evidence) to demonstrate compliance:</p> <ul style="list-style-type: none"> • Invoice and payment records for the RTO (White Card) • Written confirmation from SPTC confirming that 5 students attended the Company for 5 work experience days each • Copy of a work experience program (or alike) detailing the scope of the work experience training and signed records confirming the scope of the work experience training was completed. 	\$ 2,500	12 months from acceptance
3.3.4	<p>The Company will engage a third-party media provider to assist the Company to produce a short video outlining the incident and its</p>	\$5,000	6 months from acceptance

	<p>learnings, to be disseminated on FTMA's website.</p> <p>The video will focus on the risks associated with working at heights in a carpentry setting and will be aimed as easy consumption and maximum engagement.</p> <p>The Company will provide the Regulator with the following (evidence) to demonstrate compliance:</p> <ul style="list-style-type: none"> • SafeWork SA to review video script prior to production. • Invoice and payment records for the media provider • Copy of the completed video and website link • If possible, a website traffic report will be provided to evidence distribution. 		
3.3.5	<p>The Company will collaborate with the MBA and/or HIA as a guest speaker at a safety-based presentation, at which the above video will be shown.</p> <p>The Company will provide the Regulator with the following (evidence) to demonstrate compliance:</p> <ul style="list-style-type: none"> • Confirmation from the MBA and/or HIA providing details of the safety-based presentation, to include but not limited to: location, date, time, number of attendees, overview of presentation content • Attendee list, subject to privacy considerations. 	\$2,500	6 months from acceptance
3.3.6	<p>The Company will collaborate with a Workplace Safety Consultant (WSC) to produce an "incident alert" (including the above video at 3.3.4) to be disseminated within the construction industry more broadly. The incident alert will be publicly available via the FTMA website.</p> <p>The Company will provide the Regulator with the following (evidence) to demonstrate compliance:</p>	\$1,500	6 months from acceptance

<ul style="list-style-type: none"> • Invoice and payment records for the workplace safety consultant • Copy of the incident alert • Evidence that the incident alert is publicly available via the FTMA website, for example, link to website, screenshot of website depicting the incident alert, written confirmation from FTMA that the incident alert has been uploaded to their website. 		
Total minimum cost of benefits for industry		\$ 18,275

3.4 Activities to be undertaken to promote the objects of the *Work Health and Safety Act 2012 (SA)* that will deliver benefits for community

Activities	Minimum cost	Timeframe
<p>3.4.1 The Company will sponsor the Willaston Football Club (WFC) during the Barossa Light & Gawler Association's 2026 and 2027 seasons, to be called the "Industry Safety Round". This will run for 2 years (i.e., one WFC game in 2026 and another game in 2027).</p> <p>Industry Safety Round guernseys will be developed and worn by WFC players during the round, from Under 13's up to the A-grade.</p> <p>The guernseys will include workplace safety messaging, which will have a legacy effect because they will invariably be worn by players at trainings for years to come.</p> <p>The associated cost includes the cost of the themed guernseys and medals/trophies for best players.</p> <p>The company will provide the Regulator with the following (evidence) to demonstrate compliance:</p> <ul style="list-style-type: none"> • Invoice and payment records for the marketing and livestream • Photographs of the Industry Safety Round/s 	Not less than \$65,000	24 months from acceptance

	<ul style="list-style-type: none"> • Link to the livestream • Copy of promotional materials promoting the Industry Safety Round (including copies of emails with club representatives). 		
3.4.2	<p>The Company understands that the Willaston Football & Netball Club and other local community entities at the Elliot Goodger Memorial Park are scheduled to receive a significant facilities upgrade (project).</p> <p>The Company will collaborate with the building company engaged for the project to share learnings regarding safe work practices based on its experience. The Company will achieve this by “donating” labour and materials to the project i.e., the cost of materials and labour/wages at an hourly rate.</p> <p>If the project does not proceed, or the work/materials do not equate to the intended sum, the Company will donate the balance to the Willaston Football & Netball Club.</p> <p>The Company will provide the Regulator with the following (evidence) to demonstrate compliance:</p> <ul style="list-style-type: none"> • Timesheets for work undertaken by its workers • Invoices and payment records for materials • (If applicable) Records confirming the balance of monies has been donated and received by the Willaston Football & Netball Club. 	Not less than \$20,000	24 months from acceptance
3.4.3	<p>The Company will donate \$7,500 to Brain Injury SA in recognition of the brain injury sustained by the injured worker, and to assist others with such unfortunate injuries, to provide support and rehabilitation.</p> <p>The Company will provide the Regulator with the following (evidence) to demonstrate compliance:</p>	\$7,500	12 months from acceptance

	<ul style="list-style-type: none"> Records confirming the donation has been received by Brain Injury SA. 		
Total minimum cost of benefits for the community		\$ 92,500	

3.5 Agreement to pay the Regulator's costs

3.5.1 The Company agrees to paying the Regulator's costs associated with this undertaking, as itemised below, and it is acknowledged that payment is due 30 days after receipt of the Regulator's invoice:

Recoverable costs	Amount
Investigation, legal & administrative costs associated with the alleged contravention & proposed undertaking	\$ 1,200.00
Compliance monitoring costs	\$ 4,945.00
Publication costs	\$ 0
Total Amount	\$ 6,145.00

3.6 Minimum spend

3.6.1 The Company acknowledges the minimum spend for this undertaking will comprise of the:

(The amounts below should correspond with total amounts from terms 3.2–3.5 above)

Total value of	Minimum spend
Benefits to workers/others	\$ 256,200
Benefits to industry	\$ 18,275
Benefits to community	\$ 92,500
Regulator costs	\$ 6,145
Total minimum spend for the undertaking	\$ 373,120

3.6.2 The Company agrees to spend any residual amount arising from the total minimum spend value not being met. Agreement on how to spend this residual will be sought from the Regulator.

3.7 A commitment to develop and implement safe systems of work (or maintain safe systems of work if already implemented) to ensure the applicant is compliant with the *Work Health and Safety Act 2012 (SA)*

3.7.1 The Company commits to implementing safe systems of work within 12 months of the acceptance of this undertaking.

Or

Tick if the applicant has already implemented safe systems of work at the workplace.

The Company commits to maintaining the safe systems of work implemented at the workplace.

3.8 A commitment to ensure the safe systems of work are audited by third party auditors

3.8.1 The Company commits to ensuring the safe systems of work will be audited by an independent third party WHS auditor.

3.8.2 The Company acknowledges that details of the auditor's qualifications will be provided to the Regulator (pre audit).

3.9 A commitment to provide a copy of each finalised system audit report to the Regulator

3.9.1 The Company acknowledges that audit reports received from the auditor will be sent to the Regulator within 30 days of the audit.

3.9.2 The Company acknowledges that within 30 days of receipt of the auditor's written report, the Regulator will be advised of the intended action in addressing each of the report's recommendations.

SECTION 4: OFFER OF UNDERTAKING

EITHER

I offer this undertaking and commit to the terms herein.

Signed: _____

[Person]

[Print name]

[Position]

Dated at _____ this _____ day of _____ 20_____

OR

As a duly authorised person of Ruediger Construction Pty Ltd I offer this undertaking and commit Ruediger Construction Pty Ltd to the terms herein.

Signed: _____

[Duly Authorised Person]

Tyson Ruediger

[Print name]


Director

[Position]

Dated at 1:59 pm this 28th day of July 2025

SECTION 5: ACCEPTANCE OF UNDERTAKING

I accept this undertaking as an enforceable undertaking under section 216 of the *Work Health and Safety Act 2012 (SA)*.

Signed: 
[Person]

ROBERT TEMPLETON
[Print name]

Exec Director SWSA.
[Position]

Dated at 11:20 this 5th day of August 2025



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