



SafeWork SA

information > advice > support

Managing work health and safety risks in the live adult entertainment industry

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1. Introduction

As an employer or business owner you have a legal responsibility to make sure that the workplace is safe and that anybody working in or visiting the workplace is not exposed to hazards or harmed by work. This legal responsibility applies irrespective of how long a worker has been engaged and includes new workers from their first shift.

1.1. Purpose of this guide

The purpose of this guide is to assist a person conducting a business or undertaking (PCBU) or workers in the live adult entertainment industry within South Australia in fulfilling their legal responsibilities.

It includes practical guidance about:

- ◆ how to achieve the standards of work health and safety required under the:
 - *Work Health and Safety Act 2012 (SA) (WHS Act)* and
 - *Work Health and Safety Regulations 2012 (SA) (WHS Regulations)* and
- ◆ effective ways to identify and manage risks in the live adult entertainment industry.

This guide is to be read in conjunction with the approved codes of practice under the WHS Act including:

- ◆ Managing the work environment and facilities
- ◆ How to manage work health and safety risks
- ◆ First aid in the workplace
- ◆ Managing noise and preventing hearing loss at work
- ◆ Work health and safety consultation, cooperation and coordination.

Copies of workplace codes of practice adopted in South Australia can be found on SafeWork SA's website: [Codes of Practice | SafeWork SA](#)

In addition to the approved codes of practice, the following Safe Work Australia model codes while not yet approved in South Australia may be used as additional guidance material:

- ◆ *Managing psychosocial hazards at work*
- ◆ *Sexual and gender-based harassment.*

Model codes of practice can be found on Safe Work Australia's website: [Model Codes of Practice | Safe Work Australia](#)

Managing Work Health and Safety (WHS) risks does not need to be expensive or complicated and it can assist businesses to operate more efficiently and productively.

A glossary of terms is at the back of this guide.

It is important to note that the term 'PCBU' has been used rather than employer throughout this guide, as this term encompasses all types of working relationships which may be outside the scope of a traditional employer/employee relationship. For example, contractors.

2. Duties under WHS laws

Work Health and Safety (WHS) laws apply to all workplaces in South Australia and are defined in the Work Health and Safety Act 2012 (SA) (WHS Act), the Work Health and Safety Regulations 2012 (SA) (WHS Regulations) and are supported by codes of practice.

SafeWork SA is South Australia's workplace health and safety regulator. SafeWork SA:

- ◆ enforces the work health and safety laws in South Australia.
- ◆ provides advice and education about work health and safety, both physical and psychosocial
- ◆ investigate workplace incidents

Both live adult entertainment venues and agencies (or any other PCBU) and workers have duties (responsibilities) under WHS law. These include, but not limited to:

- ◆ PCBU duty of care (section 2.1 of this guide)
- ◆ principles that apply to all duties (section 2.2 of this guide)
- ◆ workers' duties and responsibilities (section 2.4 of this guide)
- ◆ duty to notify SafeWork SA (section 2.5 of this guide)
- ◆ emergency plans (section 2.6 of this guide)

2.1. PCBU duties and responsibilities - section 19 WHS Act – Primary duty of care

By law, a live adult entertainment venue or agency (or any other PCBU) must ensure the health and safety of its workers.

It must also ensure that the health and safety of other persons at the workplace is not put at risk from work carried out at the workplace. This includes the health and safety of those in the vicinity of where work is being performed, such as patrons of the venue.

The PCBU has a primary duty of care and must, so far as is reasonably practicable, ensure the health and safety of:

- ◆ workers engaged, or caused to be engaged by the person
- ◆ workers whose activities in carrying out work are influenced or directed by the person, for example, contractors, and
- ◆ anyone else who may be affected by the work carried out, for example, visitors or patrons of a venue.

This means that to reasonably ensure the health and safety of its workers, a live adult entertainment venue or agency (or any other PCBU) must consider the needs of all workers in designing safe systems of work.

When designing a safe system of work, a PCBU should consider:

- ◆ providing and maintaining a work environment without risks to health and safety
- ◆ providing and maintaining safe systems of work (see in detail below)
- ◆ ensuring the health of workers and ensuring conditions at the workplace are monitored to prevent physical and psychosocial illness or injury of workers arising from the conduct of the business or undertaking
- ◆ providing information, training, instruction or supervision that is necessary to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking
- ◆ providing and maintaining adequate facilities for the welfare of workers in carrying out work for the business or undertaking, including ensuring workers have access to the facilities
- ◆ ensuring policies are in place that support or increase awareness of workers about their WHS rights, responsibilities and training about WHS hazards.

A PCBU should also have in place comprehensive policies that support or increase worker awareness about their WHS rights and responsibilities. These policies should be published and publicly available (such as on a venue or agency website) and include ongoing training about WHS hazards.

How to demonstrate safe systems of work

Some examples of how to demonstrate safe systems of work include, but are not limited to:

- ♦ identifying hazards, conducting risk assessments and controlling risks
- ♦ developing, implementing and reviewing WHS policies and procedures
- ♦ consulting with workers and their representatives about WHS issues
- ♦ providing a safe working environment. For example, ensuring people can easily and safely move about and there is nothing restricting or obstructing walkways or exits and there is nothing that a person can trip or fall over; having adequate lighting, including at entries and exits; making sure floors and surfaces are well maintained and quickly mopping up spills and oils; having safely installed working fixtures and fittings; having adequate ventilation
- ♦ developing, implementing and training workers in safe systems (methods) of work, including workers who are working in rooms on their own or at an off-site location or venue. This includes safe systems of work including performing, procedures for emergencies including an emergency evacuation plan, and security of workers

- ♦ ensuring plant and equipment are safe, including stages, poles, props, electrical equipment and cleaning products
- ♦ providing accessible, clean, functional toilets and hand washing facilities
- ♦ providing free clean drinking water
- ♦ providing information, instruction and training to workers that is easily understandable
- ♦ adequately supervising workers
- ♦ monitoring the health and safety of workers including the psychosocial safety of workers
- ♦ monitoring the hours a worker works and ensuring the worker has adequate breaks and that they can sit down
- ♦ keeping records of work-related incidents and injuries and reviewing the records to identify hazards and risks to prevent future injuries to workers.

See SafeWork SA's [Simple Steps to Safety guide](#) which a PCBU can use to help assess the current health and safety practices within their workplace and to identify areas for improvement. It provides business owners with practical steps to provide a safe workplace and to help business owners meet their legal obligations under WHS law.

2.2. Principles that apply to all duties and responsibilities – sections 14 -16 WHS Act

A duty of care cannot be transferred from a live adult entertainment venue or agency, or any other PCBU, to another person, for example a worker. This means that first and foremost, the responsibility and accountability for work health and safety is always with the PCBU.

More than one person can have the same duty and one person can have more than one duty (section 15 WHS Act). When this occurs, the following principles apply to these duties:

- ♦ a person cannot transfer their duty to others (section 14 WHS Act)
- ♦ each person retains responsibility for their duty
- ♦ each person must discharge their duty to the extent that they have capacity to influence and control the matter (section 16 WHS Act).

For example, each director of a company has a duty and each director is responsible for that duty.

2.3. What is reasonably practicable for PCBU's in promoting health and safety – sections 17 and 18 WHS Act

By law, a PCBU must do what is reasonably practicable to fulfil their WHS duties. This means that the PCBU must take all reasonable steps to eliminate a risk. If a risk cannot be eliminated, the PCBU must take all reasonable steps to minimise the risk (section 17 WHS Act).

What is reasonably practicable means the PCBU must meet the standard of behaviour expected of a reasonable person in the duty holder's position and who is required to comply with the same duty (section 18 of the WHS Act).

To identify what is, or was, reasonably practicable, all relevant matters must be taken into account and weighed up, resulting in a balance that will provide the highest level of protection that is both possible and reasonable in the circumstances. The PCBU must at a minimum, consider:

- ♦ the likelihood of the hazard or risk occurring
- ♦ the degree of harm from the hazard or risk
- ♦ knowledge about ways of eliminating or minimising the hazard or risk
- ♦ the availability and suitability of ways to eliminate or minimise the risk, and
- ♦ cost.

A risk management approach can help the PCBU determine what is reasonably practicable.

Cost can only be considered after assessing the extent of the risk and the ways of eliminating or minimising the risk.

A PCBU cannot choose a control measure simply because it is cheaper.

2.4. Worker duties and responsibilities including contractors – section 28 WHS Act

Workers also have a responsibility at work to take reasonable steps to ensure their own health and safety. Workers must also ensure that their actions do not affect the health and safety of others, including patrons.

Workers are required to comply with reasonable instruction given by the PCBU about work health and safety matters, so far as they are reasonably able to comply with a reasonable policy and procedure of the PCBU regarding work health and safety that has been communicated to workers.

2.5. Duty to notify SafeWork SA of notifiable incidents – sections 35 and 38 WHS Act

SafeWork SA is the regulator of work health and safety in South Australia.

A PCBU has a duty to ensure the regulator (SafeWork SA) is notified immediately after becoming aware that a notifiable incident arising out of the conduct of the business or undertaking has occurred. The notice must be by telephone or in writing (section 38 WHS Act).

A notifiable incident is defined as the death of a person, serious injury or illness of a person, or a dangerous incident (section 35 WHS Act). Definitions of what is a serious injury or illness can be found on the SafeWork SA website.

Refer to:

- ♦ SafeWork SA's website for more information including how to notify the regulator: [Workplace incident notifications | SafeWork SA](#)
- ♦ Safe Work Australia's Information Sheet – Incident Notification: [Incident notification information sheet | Safe Work Australia](#)

2.6. Emergency plans – regulation 43 WHS Regulations

A PCBU must develop, implement and maintain an emergency plan for the workplace, and train staff in the implementation of the plan.

The plan must have emergency procedures, including:

- ♦ an effective response to an emergency
- ♦ evacuation procedures
- ♦ notifying emergency service organisations at the earliest opportunity

- ♦ providing or seeking medical treatment and assistance to all people, including workers and patrons
- ♦ effective communication between the person authorised by the PCBU to coordinate the emergency response and everyone at the workplace.

The plan must also include:

- ♦ testing of the emergency procedures, including the frequency of testing
- ♦ information, training and instruction to relevant workers regarding implementing the emergency procedures.

The plan must be implemented in the event of an emergency.

See also section 5 of the Managing the work environment and facilities code of practice.

3. Consultation with workers

3.1. Duty to consult – section 47 WHS Act

The PCBU must, so far as is reasonably practicable, consult with workers who are, or are likely to be, affected by a matter relating to work health and safety. Consultation should be genuine and free of repercussion for workers.

3.2. Nature of consultation – section 48 WHS Act

The PCBU must provide workers with information relevant to their work and provide workers with a reasonable opportunity to express their views, raise WHS issues and contribute to the decision making process about WHS issues.

Information should be provided in a way that is easily understood by workers and take into account literacy needs and the cultural or linguistically diverse background of workers. The PCBU should also consider workers who have limited work experience.

The PCBU must take into account the views of the workers and advise the workers who were consulted about the outcome of the consultation in a timely manner.

If the PCBU and workers have agreed to procedures for consultation, the consultation must be undertaken in accordance with those procedures.

If the workers are represented by a health and safety representative, the consultation must involve that representative.

3.3. When consultation is required – section 49 WHS Act

Consultation is required when:

- ♦ identifying hazards and assessing the risks arising from working in the industry
- ♦ making decisions about ways to eliminate or minimise risks
- ♦ deciding on the adequacy of facilities for the welfare of workers
- ♦ proposing changes that might affect the health and safety of workers
- ♦ making decisions about procedures regarding how the PCBU will consult with workers, resolve work health and safety issues and monitor the health of workers
- ♦ providing information and training for workers.

Consultation should include consideration of:

- ♦ training required for workers to ensure their safety while at work
- ♦ how the work is performed including procedures for personal security and incident reporting
- ♦ management of fatigue and risks of violence or aggression
- ♦ personal protective equipment
- ♦ ongoing communication and review of health and safety matters.

4. Health and safety representatives

Health and safety representatives – sections 50-74 WHS Act, regulation 20 WHS Regulations

Health and safety representatives (HSRs) are workers who are elected to represent the health and safety interests of their work group. The role of an HSR is voluntary. There is no financial allowance for undertaking HSR duties. Elected HSRs must be trained and PCBUs must allow training to be undertaken by the HSR. HSRs are given broad powers under the WHS Act, including rights to inspect places where work is carried out, receive work health and safety information, issue provisional improvement notices where they detect a breach of the WHS Act and to direct that unsafe work cease.

HSRs can help the PCBU meet their WHS duties and improve WHS outcomes for workers, which in turn, can help productivity. HSRs can help the PCBU communicate with workers and gather key information about WHS interests or concerns for the PCBU. A court or tribunal may disqualify a HSR if it is satisfied that the HSR exercises a power or performed a function for an improper purpose, or used or disclosed information acquired in the role for a purpose other than in connection with their role as an HSR.

The majority of the members of a work group may remove an HSR if the members sign a written declaration that the HSR should no longer represent the work group.

5. Managing risks and suggested control measures

To manage risks, the PCBU must identify hazards and implement appropriate control measures to control the risks. This is known as the 'hierarchy of control measures'.

The ways of controlling risks are ranked from the highest level of protection and reliability to the lowest as shown in Figure 1 below.

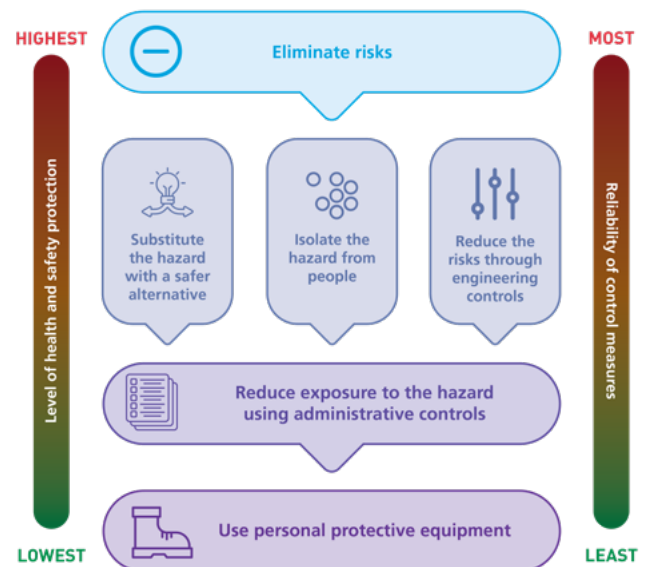


Figure 1: hierarchy of control measures

Consulting with workers about how to prevent injuries and illnesses is critical in identifying and controlling WHS risks.

5.1. Eliminating risks

When implementing control measures, the PCBU must always aim to eliminate the risk, which is the most effective control.

5.2. Substitution, isolation and engineering controls

If eliminating the risk is not reasonably practicable, the PCBU must minimise the risk by working through the other alternatives in the hierarchy by:

- ♦ substituting the hazard with something safer
- ♦ isolate the hazard from people
- ♦ reduce the risks through engineering controls.

5.3. Administrative controls

If risks remain, they must be minimised by implementing administrative controls, so far as is reasonably practicable.

Administrative controls and personal protective equipment (PPE) are the least effective ways of minimising risk because they do not control the hazard at the source and rely on human behaviour and supervision. These control measures should only be used:

- ♦ to supplement higher level control measures
- ♦ as a back-up
- ♦ as a short-term interim measure until a more effective way of controlling the risk can be used, or
- ♦ when there are no other practical control measures available.

Administrative controls include work methods or procedures that minimise exposure to a hazard, as well as information, training and instruction to ensure workers can work safely. For example, procedures about how to operate equipment safely, implementing policies regarding anti-bullying, sexual harassment and occupational violence, and limiting the time exposed to a hazardous task. Some administrative measures will be needed to ensure controls are implemented effectively. For example, following safe work procedures when using equipment.

Before putting control measures in place, the PCBU must talk to their workers and any HSRs about the hazards, risks and control measures and take their views into account.

6. Common industry hazards

Some common hazards for workers in the industry include:

- ◆ Psychosocial hazards. For example, low job control, unfair job demands, low reward and recognition, stigma, bullying and sexual harassment
 - ◆ personal safety and security when working in private performance rooms and at off-site locations
 - ◆ unsafe entry and exit from venues
 - ◆ uneven or slippery surfaces which results in slips, trips and falls, including from poles, stages, steps and stairs
 - ◆ exposure to hazardous noise levels
 - ◆ body stressing (sprains and strains) which may occur from long durations of work which involves strength and range of motion extremes
 - ◆ poorly maintained work environment and facilities, for example, unsafe installation of poles, poorly maintained stages and floors, a lack of adequate change rooms, poor cleanliness, and lack of secure storage for personal belongings.
- ◆ job demands, including mental and emotional demands. For example, working constantly for 8 or more hours without breaks
 - ◆ low job control. For example, being scheduled to perform on stage at certain times, being required to work specific nights, low control over start and finish times
 - ◆ poor support. For example, invalidation when safety concerns are raised, being blamed for the inappropriate behaviour of others
 - ◆ poor physical environment. For example, unclean or unmaintained seating which can irritate skin or cause acne, poor ventilation, inadequate heating or cooling and lighting
 - ◆ violence and aggression, including from patrons
 - ◆ pressure to consume alcohol from the venue, patrons or other workers
 - ◆ job insecurity
 - ◆ dealing with stigma associated with their profession
 - ◆ bullying
 - ◆ harassment, including sexual harassment
 - ◆ conflict or poor workplace relationships and interactions
 - ◆ beliefs that work-related concerns may not be taken seriously, or that result in punishment or termination of employment
 - ◆ lack of training and career development opportunities.

6.1. Psychosocial hazards – regulations 55A-D WHS Regulations

Psychosocial hazards are any hazards in the design and management of work that increases the risk of work-related stress.

Work-related stress is the physical, mental and emotional reactions that occur when a worker perceives the demands of their work exceed their ability or resources to cope. If prolonged, work-related stress can cause both psychosocial and physical harm.

Common psychosocial hazards which could cause harm while working in the live adult entertainment industry include:

PCBU key control measures for this hazard can include:

- ◆ consulting with workers and adjusting how the worker performs their work to improve the worker's control over their job
- ◆ clearly outlining key tasks, responsibilities, expectations and engaging with workers about their roles
- ◆ regularly consulting with workers to keep them informed

- ♦ preventing workplace violence, aggression, bullying and harassment, and controlling harmful behaviours
 - ♦ ensuring workers have regular breaks and that they can sit down for a reasonable length of time
 - ♦ ensuring workers are provided with safe exit from the venue if necessary
 - ♦ giving workers the tools they need to do their work safely such as safe equipment. For example, stage, steps, stairs, poles, lighting and sufficient training
 - ♦ avoiding exposing workers to traumatic events where possible
 - ♦ providing workers with the opportunity to debrief when they are exposed to traumatic events
 - ♦ having procedures for reporting concerns and complaints internally within the organisation and to external organisations
 - ♦ procedures for investigating complaints and options for complaints to be formally or informally resolved
 - ♦ mental health support.
- ♦ harassment or aggressive behaviour that creates a fear of violence, such as stalking, threats to 'out' a worker, verbal threats and abuse, yelling and swearing. This can be in person, by telephone, email or online.
 - ♦ Workplace violence and aggression can result from a range of sources including:
 - ♦ external violence and aggression from customers, patrons or members of the public
 - ♦ internal violence and aggression from other workers, supervisors or managers
 - ♦ family and domestic violence from a family or domestic relationship when this occurs at the workplace, including if the person's workplace is their home.

Workplace violence and aggression can result in both physical and/or psychosocial harm to the person it is directed at and anyone witnessing it.

The use of alcohol and other drugs at live adult entertainment venues may increase the risk of workers being exposed to psychosocial risks.

6.2. Violence – regulations 55A-D WHS Regulations

Workplace violence and aggression can be any incident where a person is abused, threatened or assaulted relating to their work.

Workplace violence and aggression may include:

- ♦ physical assault such as biting, scratching, hitting, kicking, pushing, pulling of hair or clothing, grabbing, punching, throwing objects
- ♦ intentionally coughing or spitting on someone
- ♦ sexual assault or any other form of indecent physical contact, which can include any kind of touching or the threat of touching without a person's genuine consent

PCBU key control measures for violence can include:

- ♦ ensuring access to the premises is appropriately controlled
- ♦ managing the expectations of customers and clients by communicating the nature and limits of the services the PCBU provides. This could include a PCBU having a code of conduct for patrons regarding behavioural expectations and the right of the premise to remove patrons who are in breach of the code
- ♦ ensuring internal and external lighting provides good visibility
- ♦ arranging furniture and partitions to allow good visibility of service areas
- ♦ ensuring people can move about easily with space between them and other people and ensuring movement is not restricted

- ◆ ensuring there are no dangerous objects that could be thrown or used to injure a person
- ◆ training workers about how to deal with difficult customers, conflict resolution and when to escalate problems to senior staff members
- ◆ increasing security such as using security personnel, video surveillance or duress alarms
- ◆ providing workers and others with a safe place to retreat
- ◆ ensuring that workers are made aware of their right to cease unsafe work
- ◆ having procedures for reporting concerns and complaints internally within the organisation and to external organisations
- ◆ procedures for investigating complaints and options for formal and informal resolution
- ◆ training workers about physical self-protection and bystander interventions
- ◆ physical and mental health support for workers who raise concerns and/or complaints.

- ◆ questions about sexual activity.
- ◆ consensual mutual attraction, friendship or relationships are not sexual harassment
- ◆ measures a PCBU may implement for controlling sexual harassment are similar to those for violence.

PCBU key control measures for sexual harassment can include:

- ◆ increasing security such as using security personnel, video surveillance or duress alarms
- ◆ providing workers and others with a safe place to retreat
- ◆ ensuring that workers are made aware of their right to cease unsafe work
- ◆ managing the expectations of customers and clients by communicating the nature and limits of the services the PCBU provides. This can include signage to inform customers of a no touching policy and other policies to ensure clients behave appropriately during private performances, and that the workplace will not accept any forms of violence and aggression
- ◆ ensuring internal and external lighting provides good visibility where appropriate. noting a need that this is fit for purpose within the venue
- ◆ arranging furniture and partitions to allow good visibility of service areas
- ◆ training workers about how to deal with difficult customers, conflict resolution and when to escalate problems to senior staff members
- ◆ having procedures for reporting concerns and complaints internally within the organisation and to external organisations
- ◆ having procedures for investigating complaints and options for formal and informal resolution
- ◆ training workers about physical self-protection and bystander interventions
- ◆ physical and mental health support for workers who raise concerns and/or complaints.

6.3. Sexual Harassment – regulations 55A-D WHS Regulations

Sexual harassment is sexual behaviour which makes people feel offended, afraid or humiliated. Sexual harassment is determined from the point of view of the person feeling harassed. It can cause both psychosocial and physical harm. It can occur between a worker and a PCBU, between a worker and a patron or between workers.

Sexual harassment may include unwelcome:

- ◆ touching, kissing or licking
- ◆ comments or jokes
- ◆ sexual pictures, objects, emails, text messages or literature
- ◆ direct or implied propositions or requests for dates after these have previously been declined

See also sexual harassment under the Equal Opportunity Act 1994 (SA). The Equal Opportunity Act gives workers legal protection against discrimination based on sex and other characteristics as well as sexual harassment.

6.4. Entry and exit to the workplace including adequate lighting – regulation 40 WHS Regulations

Entry and exit to a workplace must be safe. Common hazards in the industry include:

- ♦ inadequate lighting, including emergency lighting
- ♦ broken stairs and elevators
- ♦ aisles, walkways and emergency exits cluttered with equipment, furniture or other objects
- ♦ maintenance and/or construction works occurring at premises.

PCBU key control measures for this hazard can include:

- ♦ providing clear access to areas where work occurs, including the stage or private rooms
- ♦ providing a well laid out site with clear and unobstructed routes that enables people to leave quickly when there is an emergency. This includes clearly marking the location of exits and displaying signs to show the direction to exits
- ♦ ensuring the safety of any workplace where maintenance and/or construction is being undertaken by keeping areas clean and keeping the remaining workplace free of obstructions
- ♦ adequate lighting to allow the safe movement around the workplace including passageways, corridors and stair wells.

See also Managing the work environment and facilities code of practice parts 2.1 and 2.5.

6.5. Maintenance of work environment and facilities including access to changerooms / personal storage and cleanliness – regulation 40 and 41 WHS Regulations

PCBUs must monitor the conditions of the work environment including facilities, to ensure the health and safety of workers. The WHS Regulations require that workers be provided with adequate facilities including toilets, clean drinking water and washing and eating facilities. Facilities must be in good working order and be clean, safe and accessible.

The conditions of the workplace should be regularly monitored and checked, particularly when there are changes to the type of work being done or to the composition of the workforce.

Common hazards include:

- ♦ access to suitable changing rooms
- ♦ access to appropriate personal and secure storage
- ♦ adequate facilities including toilets and handwashing facilities
- ♦ cleanliness of facilities including hygienic disposal for sanitary products.
- ♦ PCBU key control measures for this hazard can include:
- ♦ providing adequate changeroom facilities and ensuring they are regularly maintained and cleaned. Changerooms should be conveniently located and equipped with seating to enable workers to sit when they are dressing or undressing, contain mirrors and an adequate number of hooks or shelves. The temperature in the change room should be maintained so that it is comfortable for workers when changing. This may require additional heating or cooling

- ♦ performance areas including the stage and private rooms/areas should be cleaned on a daily basis and be assessed for cleaning after every performance, with spot cleaning occurring as necessary and as frequently as required
- ♦ providing accessible and secure storage for workers to store their personal belongings in an area that is not accessible to other workers, customers and members of the public.

See also Managing the work environment and facilities code of practice parts 2.6, 3.1, 3.2, 3.3, 3.4, 3.6 and 3.7.

6.6. Exposure to hazardous noise – regulation 56 WHS Regulations

Live adult entertainment industry venues can present challenges due to exposure to hazardous noise including sounds and special effects loud enough to cause noise-induced hearing loss. Permanent hearing loss from excessive noise exposure, and in some cases tinnitus (ringing in the ears) can be experienced by people who have worked in the entertainment industry.

Impulse or sudden noise levels in excess of the peak exposure standard of 85 decibels (dB) (A) or 140 dB(C) are considered to be hazardous and capable of causing immediate hearing damage.

The PCBU should determine:

- ♦ the sources of excessive, distracting or disruptive noise which can make it difficult to hear a normal voice within one metre of the source of the noise
- ♦ workers likely to be exposed to excessive noise
- ♦ work activities that are noisy and may pose a risk to hearing
- ♦ ways of reducing the level of noise.

PCBU key control measures for this hazard can include:

- ♦ keeping noise levels below the exposure standard of 85 decibels (dB)(A) in an 8 hour day, so that critical situations can still be communicated despite the noise
- ♦ introducing engineering controls to treat noise at its source or in its transmission path, such as using sound dampeners, noise barriers, partitions, screens and isolation
- ♦ introducing administrative controls, such as training and education, job rotation, job redesign or designing rosters to reduce the number of workers who are exposed.

See also Managing noise and preventing hearing loss at work code of practice.

6.7. Poorly maintained workplace facilities leading to slips, trips and falls– regulation 40 WHS Regulations

Poorly maintained work environments can result in slips, trips and falls. The most common injuries from these types of incidents are musculoskeletal injuries such as injuries to shoulders, lower back, elbows and fingers, muscle strain and sprains, bruises, fractures and dislocations.

Slips and trips occur when a person unexpectedly catches their foot on an object or slips on a surface. Workers in the adult entertainment industry typically wear a particular type of ergonomic footwear, referred to 'pleaser heels'. These are worn for WHS reasons and are generally not suited to be worn on uneven ground.

Major slip, trip and fall hazards in industry include:

- ♦ uneven or damaged floor surfaces
- ♦ poorly maintained stages, steps and stairs
- ♦ wet or oily floors, for example, recently washed floors or spills not quickly cleaned up
- ♦ cables from electrical equipment

- ♦ moving around in low light or strobe lighting
- ♦ falls from unprotected edges, for example, steps, stairs and stages
- ♦ mismatch between footwear worn by workers, for example, high heels, and the floor surface.

PCBU key control measures for this hazard can include:

- ♦ ensuring all areas are well lit including extra lighting in stair wells and emergency lighting to ensure people can safely evacuate when there is an emergency
- ♦ training workers to be more aware of slip and trip hazards to prevent injuries
- ♦ designing the workplace to ensure potential slip and trip hazards are minimised, for example, having suitable flooring in good condition on stages, steps and staircases
- ♦ ensuring elevators are in good working order, noting the footwear typically worn by workers in this industry may not be suited to navigating multiple tiled stair wells.

6.8. Body stressing hazards leading to sprains and strains – regulation 40 WHS Regulations

Common causes of body stressing hazards which may lead to sprain and strain injuries include:

- ♦ long durations of work which involve strength, high force and range of motion extremes
- ♦ repetitive tasks, particularly those that are strenuous such as work involving the use of poles
- ♦ sustained awkward postures.

PCBU key control measures for this hazard can include:

- ♦ ensuring workers are provided with sufficient breaks and work scheduling minimises the risk of fatigue
- ♦ looking for tasks which require awkward postures, repetitive movements or forceful exertions and make changes where possible
- ♦ task rotation to ensure a balance between work with high physical demands and one which has lower physical demands
- ♦ a method of reporting injury
- ♦ early intervention injury management
- ♦ ensuring costuming and clothing minimises the risk of body stressing injuries.

6.9. Isolated or remote work including performing in private performance rooms and performing at off-site locations – regulation 48 WHS Regulations

Workers can be alone where their access to support and help is limited. This may include workers working in private rooms/areas and off-site at a private venue, whether through agency work or a club 'book out'.

Regulation 48 of the WHS Regs require the PCBU maintain effective communication with workers who work alone.

When assessing the risks to workers, PCBUs need to consider how likely the threat is and how severe the outcome may be. The PCBU and workers should consider the following, including for off-site venues and locations:

- ♦ location where the work will be performed
- ♦ if the worker had an incident, what is the likelihood that the customer would be able to contact help on the worker's behalf?
- ♦ are workers working alone?

- ◆ is work carried out after dark?
- ◆ distances travelled, road surfaces and condition
- ◆ distances from help where workers are in isolated areas
- ◆ any neighbouring security hazards.

PCBU key control measures for this hazard can include:

- ◆ a pre-visit assessment and ensuring that all other relevant information has been obtained
- ◆ if there is any suspicion of risk, arrange for another worker or security personnel to accompany the worker
- ◆ ensure the worker(s) have a working, charged mobile telephone or other electronic method to obtain assistance, with emergency numbers keyed in to speed dial
- ◆ installation of appropriate security measures, e.g. security cameras and duress alarms
- ◆ monitoring the location of a worker working off-site, e.g. the worker to contact the supervisor or another person at the arrival for a performance and again at the completion of the performance (some venues will take a copy of a patron's ID, such as a driver's licence, to ensure they return to the venue to collect it)
- ◆ procedures and training for workers in managing potential risks, e.g. training in handling aggressive or inappropriate behaviour by clients
- ◆ procedures and training for workers about how to record and report incidents.

See also Managing the work environment and facilities code of practice part 4.2.

7. Review control measures

To ensure control measures are working as planned, the PCBU must consult with workers and HSRs to make sure the control measures are maintained and effectively controlling risks. If the measures are not being taken, or are not adequately controlling the risks, the PCBU must revise the measures or implement different measures.

The PCBU must ensure that training and skills of workers remain adequate and up to date.

SafeWork SA provides PCBUs with access to a [Simple Steps to Safety guide](#) which a PCBU can use to help assess the current health and safety practices within their workplace and can be used to identify areas for improvement. It also provides business owners with practical steps to provide a safe workplace and to help business owners meet their legal obligations under WHS law.

8. Glossary

Definitions

Live adult entertainment industry

The live adult entertainment industry refers to clubs and venues that offer stripping services including off-site agency work.

Entertainment of a sexually explicit nature is defined as **prescribed entertainment** under the SA [Liquor Licensing Act 1997](#) (paragraph 105(6)(a)).

Note: For the purposes of Australian industrial and sectorial classification, the live adult entertainment industry is captured under the live performance industry in the arts and culture sector. There is limited data on the industry and sector as Australian and New Zealand Standard Classification of Occupations (ANZSCO) does not necessarily reflect the contemporary labour market. This is currently under review by the Australian Bureau of Statistics (ABS) (see [Modern Awards Review 2023-24](#)).

Stripper

Is a term commonly used to refer to a worker in the live adult entertainment industry.

Clause 49.2 of the [Live Performance Award 2020](#) defines a performer as a 'person performing a striptease act, erotic dance, tabletop dance, podium dance, private dance, lapdance or peepshow performance'. Industry trends may result in performers being known by other names, including 'stripper'.

Note: For clarity, a stripper could be both a 'PCBU' and also a 'worker' if the person is an individual who carries out work in that business or undertaking. For example, in the case that a stripper that runs an agency and that stripper is also engaged to work under that agency.

Person conducting a business or undertaking

The meaning of a 'person conducting a business or undertaking' (PCBU) is defined in section 5 of the WHS Act.

It covers a broad range of modern work relationships and business structures. It includes if the person is conducting a business alone or with other people, if it is a partnership and if so, it is each person in the partnership, or an unincorporated association.

A PCBU can be:

- ◆ an employer
- ◆ a sole trader / self-employed person
- ◆ a company or corporation
- ◆ an association
- ◆ each partner within a partnership.

A self-employed person is also a PCBU and must ensure their own health and safety while at work, so far as is reasonably practicable.

A PCBU does not include a person engaged solely as a worker.

Note: The term 'PCBU' has been used throughout this document rather than 'employer' and the other definitions included in section 5 of the WHS Act.

Worker

The meaning of 'worker' is defined in section 7 of the WHS Act.

A person is a 'worker' if that person carries out work in any capacity for a person conducting a business or undertaking. In the industry, this is most likely to be:

- ◆ an employee
- ◆ a contractor or subcontractor or
- ◆ an employee of a labour hire company who has been assigned to work in the person's business or undertaking.

The PCBU is also a ‘worker’ if the person is an individual who carries out work in that business or undertaking.

Note: For the purposes of this document the term ‘worker’ has been used throughout this document rather than ‘employee’, ‘contractor’ and the other definitions included in section 7 of the WHS Act.

Workplace

The meaning of ‘workplace’ is defined in section 8 of the WHS Act.

A workplace is a place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work, including off-site venues and locations.

If work activities are occurring at a private venue or residence (off-site), they too would be a workplace to the extent that the PCBU has control or influence.

A workplace also includes:

- ◆ a vehicle, vessel, aircraft or other mobile structure
- ◆ any waters and any installation on land, on the bed of any waters or floating on any waters.

Note: The term ‘workplace’ has been used throughout this document.

9. Further contact

For further information or advice on topics discussed in this guide please contact [SafeWork SA](https://www.safework.sa.gov.au) or via phone on 1300 365 255. Work, health and safety issues including psychosocial concerns – SafeWork SA:
Phone: 1300 365 255, Email: help.safework@sa.gov.au

Long service leave issues – SafeWork SA:
<https://www.safework.sa.gov.au> Phone: 1300 365 255,
Email: help.safework@sa.gov.au

Contractual and employment issues including wages and working conditions – Fair Work Ombudsman:
Phone: 13 13 94
www.fairwork.gov.au

Superannuation issues – Australian Taxation Office:
<https://www.ato.gov.au>

Liquor licensing – Consumer and Business Services:
Consumer and Business Services: <https://www.cbs.sa.gov.au/sections/LGL> Phone: 131 882

Discrimination and sexual harassment – office of the Commissioner for Equal Opportunity:
Equal Opportunity Commission:
<https://www.equalopportunity.sa.gov.au>
Phone: (08) 7322 7070

Other key supports:

Working Women's Centre, <https://wwcsa.org.au/>,
Phone: (08) 8410 6499,
Email: reception@wwc.org.au

South Australian Stripper Hub (SASH),
<https://southaustraliastripperhub.com>,
Email: hello.sash@outlook.com

Lifeline Australia,
<https://www.lifeline.org.au>,
Phone: 131 114

Domestic violence and sexual assault:

1800RESPECT 1800 737 732
<https://www.1800respect.org.au/>

Yarrow Place 64 Pennington Terrace, North Adelaide South Australia 5006, 1800 817 421,
<https://www.wchn.sa.gov.au/our-network/yarrow-place>



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