**PROMOTE COMPLIANCE WITH LEGISLATION IN THE PUBLIC SECTOR**

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# Introduction

The concept of applying workplace health and safety legislative measures deals with managing fair working criteria within a working environment and thus limit any sort of unfair practises entailing to health and safety hazards. Breaches of such contracts are subjected to heavy penalisation or even termination on legal grounds. In light of this, following assignment would be dealing with Australian work and health and safety legislation over Airport work safety. The content would showcase analysis of ethical code of conducts favouring health and safety with monitoring of compliances occurring. In addition, there would also be recommendations regarding code of conduct applications.

# 1. Breach of legislation Officers Stephenson and Zytecki breaching relating to workplace safety and justification with respect to scenario

This given case study provides the information about clear breach of ***Occupational Safety and Health Act*** 1984 and ***Occupational Safety and Health Act*** 1996. In addition to that it also showed that Stephenson and Zytecki also broke a Commonwealth workplace law which includes 8 important enforcement principles (Commerce.wa.gov.au, 2019). In this scenario, breach of clear and effective communication between the officers, consistency, collaboration and continuous improvement have been noticed. In order to take steps against it senior border officer can go to Fair Work Ombudsman, main purpose of which is to make sure that employ comply with laws of Commonwealth workplace. This ombudsman has the capacity to provide advice in this matter to resolve this issue. There are also allowance of licensing and granting of approval that regards to penalisation for breaching the legislation as they are handling dangerous drugs without using proper equipment.

In this case, both the officers have showed casual and informal behaviour while handling dangerous drugs that arrive from China. This is a clear violation of section 19(1) of ***Occupation Safety and Health Act*** 1984 (Legislation.wa.gov.au, 2019). Based on law it is duty of drug officers to use proper equipments and clothing while handling drugs. It is also clear violation of ***National Compliance and Enforcement Policy*** as its main motive is to bring together laws regarding to health and safety. These policies also try to provide consistent protection to employees of Australia and also help to reduce regulatory burden (Daly, 2018:477). These two officers also can be fined for this casual behaviour at workplace. Due to casual handling of drug at work environment, they can be fined of about $312,500 with 2 years of imprisonment. Protective gears should be used in the workplace in order to avoid violation of laws (Workplaceohs.com.au, 2019). In addition to that, proper training also should be provided to the new officers to avoid breach of policies.

# 2. Identification of code of ethics/conduct applicable to employment as an officer with the Australian Border Force and its explanation

The application of employment as an officer with the Australian Border Force can be regarded in light of Australia’s ***Public Service Act 1999*** with relevance to ***Section 13*** (Aph.gov.au, 2019). The section clearly mentioned that an officer from public service is to have maintenance of honestly and due diligence with connecting with employment-related aspects. There are to be limitations on harassment and are to comply with every applicable law. There are to have compliances with every available law with reasonable directions obtained from the authority of Australia (Aph.gov.au, 2019). There is to be managed disclosure of interest conflicts with personal interests with regards to employment. There are to avoid any sort of false or misleading information against which, severe penalties are applicable.

There are to be used the commonwealth resources through proper manner and to be implicated for usage with proper purpose (Apsc.gov.au, 2019). There are to be proper usages of information regarding duties of employees, their status and their powers in order of gaining advantages of self or for any other related individual. It is also related fore causing or seeking detriments in front of employee concerned and thus promotes their commonwealth.

There are to be upholding of APS valuations and proper compliance of employee principles while managing the integrity and reputation of agency and for self (Apsc.gov.au, 2019). The country reputations are not to be hampered through any means and compliances are to be maintained regarding other required code of ethics favouring regulations prescription. With highlights of the scenario, location placement can be made over the conduct of breach of regulations and discretionary regulations of Australian health and Safety.

# 3. Analysis of code of ethics/conduct mentioned in question 2 that have been breached by Officers and its justifications

In light of given scenario, it can be stated that Officers Stephenson and Zytecki breached the code of misleading the information provided as per their regulation of health and safety and were unaware of applicable lawful direction. The code of conduct clearly states that officers under the public service (Border Force) are to comply with reasonable directions that are given by their instructor or as mention in regulations (Aph.gov.au, 2019). Contradicting to that, both of them was found with casual behaviour while handling the luggage suspected to be narcotics. The casual tones of their approach to the suspicions were clear evidence for breach of code of conduct (Freeman et al. 2016:333).

Another breach of code of conduct was regarding improper use of information regarding employee’s duties, power and authorities. In light of this, the employee is to seek or gain a benefit or available advantages of the regulations imposed (Apsc.gov.au, 2019). The implication of workplace law mentioned above stated uses of gloves and masks while dealing with suspicious objects in customs. However, the officers were found with a rather funny tone and thus promoting lack of information. The factor to be kept in notice is that they were without their protective equipment which clearly violates code of conduct. In viewpoint of Grube (2015:307), this could have led them to severe penalisation along with putting the authority into rigorous questioning as for poor monitoring of work environment. Such factors are against the code of conduct stating the violation of reputations of Australian Border forces and are liable for termination or heavy penalisation from employment.

# 4. Two inadequacies in workplace procedures that may have contributing to this problem occurring in given scenario and development of strategies

## Inadequacies in the workplace procedures

Officers Stephenson and Zytecki have breached the code of conduct at the workplace and have compromised their safety along with the safety of other employees in the area. This is because of the fact that they were not having complete protection while they were handling the containers. The inadequacies in the workplace that have led to this conduct have been discussed below:

Improper supervision quality

Improper supervision of the workplace and the working styles of the employees can lead to the underdevelopment of the employees and make them insincere about workplace ethics and code of conduct. Further, as per the suggestions of Alodhaibi et al. (2017:1107), improper supervision also makes the employees casual and they do not pay proper heed to the rules and regulations that have to be followed at the workplace and they work in a casual manner. This leads to accidents in the workplace and leads to loss of lives and loss of popularity of the organisations in terms of customer feedback.

## Unavailability of proper training for the new employees

It can also be commented that the employees who have joined the company recently are not trained properly and are thus not aware of the seriousness of the job that is being done by them. Officers Stephenson and Zytecki might not have known about the hazardous drugs that might be travelled by air and are thus excited about their first case without understanding the harms that the chemical can cause. Raemdonck et al. (2017:417) stated that it is necessary to make them aware about the types of hazardous things that are smuggled through air so that they remain serious while they are checking the products and cargo. Further, the harm and accidents that can be caused due to hazardous chemicals need to be explained to them in details so that they are aware of the protective measures while handling suspicious products the following time.

## Strategies that need to be developed

* Training related to protective measures that have to be undertaken by the officers who are checking cargo and passengers at the airports needs to be given to them. Unprotected employees need to be punished for breach of professional conduct and official rules and compromising the safety of colleagues.
* Supervision procedures of the workplace and all departments within it need to be improved. This can ensure that all the operations within the organisations are taking place properly and all the employees are aware of their roles and are conducting them properly.

# 5. Two methods of monitoring compliance within given workplace procedures.

## Method 1:

In order to monitor the operations of the organisation properly, the management of Gold Coast Airport needs to develop separate surveillance rooms for monitoring the operations of the employees of the organisations. As per the view of Jiang & Zhang (2016:2003), all the security forces who are employees need to affix cameras to their uniforms so that all the activities that are done by them gets recorded on the online server of the organisations. These activities need to be reviewed by the higher authorities so that they are charged for breach of regulations and professional code of conduct. Proper officers and human resources need to be recruited for this surveillance purpose and all the employees need to report directly to the higher authorities so that no records can be manipulated.

## Method 2:

All employees of the organisation need to be made aware of the health hazards that might be faced by them due to their negligence. According to Noe et al. (2017:54), employees of the security forces who are investigating the passengers and cargo at airports need to be made aware that these are highly sensitive locations are prone to attack by terrorists and national enemies. As a result precautions like gloves, bulletproof jackets, helmets, high heeled boots and masks need to be used at all times so that they are able to save their lives during sudden attacks or accidents (Winter & Jackson, 2016). The security forces also need to be made aware of previous attacks and accidents so that they remain aware of similar incidents and are able to take proper precautions before any such incident is repeated.

# 6. Research on the Code of Conduct application and provision of advice to Officer Lowe.

Code of conduct of a specific country is developed so that the citizen of that country can operate properly. Code of conduct differs from one country to another, however according to ***Australia New Zealand Closer Relations Trade Agreement*** this custom officers has to follows some service code of Australia. However, victim has to mainly focus on the public service code of New Zealand. In this case scenario, one of the leading officers is going to New Zealand for the service of 3 months. Therefore, that officers needs to learn about code of conducts of New Zealand which helps him to work there properly. It also helps to maintain a good relation between these two countries. Furthermore, this officer also has to take care about the ethical issues of that country in order to work properly. As per ***Thoracic Society of Australia and New Zealand*** (TSANZ) some operational code of conduct of both these countries are fairly similar. Therefore, it is expected that Lowe will face negligible conflict in these policies during work. However, it is not necessary for the officers of Australia to follow Australian Code of Conduct in New Zealand. Furthermore, customs department and airport security department have almost similar functions so Low should not face any kind of difficulties while doing job in New Zealand.

# Conclusion

Employees who are working in the Public sectors of various countries have to remain aware at all times as they have to handle various products and people. Legislations of organisations in the Public Sectors are accordingly issued by the Government Bodies so that safety of all employees is maintained properly and all operations of the organisations are properly done. In this study, a case scenario of Gold Coast International Airport in Australia has been given and the learner tries to answer the questions that have been done as per the scenario. The questions have been answered as per the legislation of the company and the code of ethics and conduct has been mentioned. Inadequacies present in the workplace that leads to breach of conducts have also been discussed in the study. The required strategies have also been discussed in the study along with policies of monitoring the workplace environment so that the employees can be kept under continuous supervision.

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