

September 2026

Welcome to Workplace Horizon's September update for SA Dairyfarmers' Association (SADA) members. We trust you find this month's update informative and useful.

All updates are also accessible on our website via [SA Dairyfarmers' Update - September 2026](#)



LOOKING AHEAD: A PERSONAL ANNOUNCEMENT

It is with mixed emotions that we share that this will be our final update for SADA members.

Following a recent health scare, Laurie has made the difficult decision to retire. While this has been a challenging time, we're pleased to share that his recovery is progressing well. He is now focused on his health and wellbeing, spending more time with family and friends, and looking forward to his well-earned retirement.

As a result, Workplace Horizons will begin gradually winding down its operations over the coming months. While the business itself is transitioning towards closure, Robynne will continue working and will remain available to support clients during this period, helping to ensure a smooth and considered transition.

Although our service agreement with SADA will not be renewed, we will continue to honour the discounted member hourly rates throughout the transition period. Please be assured that all current work and existing commitments will continue to be managed and completed, with our focus remaining firmly on providing ongoing support and a seamless transition for members.

After more than 26 years of supporting workplaces, advocating for positive employment outcomes and building valued relationships with clients, this decision has not been made lightly. The relationships we have built with our clients have always meant far more to us than simply providing a service, which is why saying goodbye is proving so difficult.

It has been our privilege to work alongside SADA members, and to get to know you and your businesses personally. We sincerely hope that our support has made a positive contribution to your businesses and the broader industry, and we wish all members every success for the future.

Please don't hesitate to contact us if you have any questions or have any workplace issues we can assist with over the next few months.

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WORKPLACE HEALTH & SAFETY

Further to our item in the August Update (A Growing WHS Priority: Psychosocial Hazards), SafeWork SA has released a webinar covering this topic and Gender based Harassment at Work, that can be accessed at [New Codes of Practice: Psychosocial Hazards and Sexual and Gender-based Harassment at Work | Webinar](#).

We strongly encourage you to view this webinar and familiarise yourself with your WHS compliance obligations.

SA has its first Industrial Manslaughter Case

On 23 July 2026, charges were filed in the Adelaide Magistrates Court against Nylastex Tooling Pty Ltd, Nylastex Holdings Pty Ltd and the directors following the death of a 28 year old worker.

Industrial manslaughter became a criminal offence in South Australia on 1 July 2024, bringing SA into line with other states and territories across Australia. Individuals face a maximum penalty of 20 years' imprisonment while the maximum fine for a corporate is \$18 million.

The charges relate to a workplace fatality that allegedly occurred at the company's Edwardstown plant on 24 July 2024:

- It is alleged the worker was operating a milling machine when he was struck in the head by a metal object that had been ejected from the machine.
- It is further alleged that an interlock guarding switch that was designed to prevent this from occurring had been disabled and/or bypassed.
- Two days prior to the worker's death an external technician engaged by Nylastex Tooling Pty Ltd had allegedly advised that there were safety concerns with the guarding switch.
- The companies and its two directors had a health and safety duty to their workers. It is alleged they breached that duty by engaging in conduct with gross negligence that caused the death of the worker or were reckless as to the risk of death or serious injury.
- A project manager employed by the company has also been charged with a Category 1 offence of engaging in gross negligence or reckless conduct contrary to Section 31 of the Work Health and Safety Act 2012.

The defendants will appear in court at a later date.

The Court's decision in this matter will establish a precedent that could affect employers more broadly, making it an issue that all businesses should be aware of and monitor closely.

National Farm Safety Week

National Farm Safety Week was held in July 2026 and once again, it highlighted the critical importance of maintaining a strong safety culture across the rural sector.

According to Safe Work Australia data, the agriculture, forestry and fishing industry recorded the highest rate of serious injury claims of any sector in 2025. At 11.3 claims per million hours worked, the rate was almost double the national average.

The sector has already recorded 13 fatalities this year, with vehicle rollovers, falls, machinery incidents and being struck by moving objects continuing to be the leading causes of death on Australian farms.

These figures serve as a timely reminder for all primary producers to regularly review their safety systems, ensure appropriate training is provided, and remain vigilant in managing workplace risks.



CONSULTATION OBLIGATIONS APPLY REGARDLESS OF BUSINESS SIZE

Recent Fair Work Commission (FWC) decisions have reinforced the importance of employers complying with Award consultation obligations when introducing major workplace changes or changes to employee rosters or hours of work.

In one case, a small business employing nine staff was covered by an Award requiring consultation once a firm decision had been made to implement a major workplace change. The employer acknowledged it had not reviewed the Award's consultation clause but argued that, due to its size and limited HR resources, it should be exempt from the requirement.

The matter proceeded to appeal, where a Full Bench of the Fair Work Commission confirmed that modern Award consultation obligations apply equally to all employers, including small businesses. There is no exemption based on business size.

This decision serves as an important reminder that employers must understand and follow the consultation requirements contained in any applicable modern award before implementing workplace changes.

Lessons for Employers

The decision highlights several important lessons for all employers:

- Do not assume your business is too small for consultation obligations to apply. Consultation requirements apply regardless of business size.
- Before making workplace changes, review the consultation provisions in the relevant award and ensure you understand your obligations.
- Consult with affected employees about the proposed change and its likely impacts before the decision is finalised.
- Provide employees with the required information in writing and keep records of consultation discussions and outcomes.
- Failure to comply with consultation obligations can expose employers to legal risk, even where the underlying business decision is legitimate.



FIVE COMMON EMPLOYMENT MISTAKES MADE BY EMPLOYERS

Most primary producers don't set out to get employment matters wrong. The challenge is that employment obligations continue to grow, while time and resources often don't.

Over the years, we've seen the same issues arise repeatedly across businesses. The good news is that most are easily avoided with a little planning and attention.

1. *Not Having Clear Employment Contracts*

Many employers rely on a verbal agreement or a quick conversation about pay and hours when engaging a new employee.

While this might seem straightforward, misunderstandings can quickly arise about work hours, duties, leave entitlements, accommodation arrangements or remuneration.

An employment contract helps both parties understand exactly what has been agreed and provides a valuable reference point if questions arise later.

2. *Assuming the Award Doesn't Apply*

Awards can be complicated, and many employers assume they already know what classification or pay rate applies to their employees.

Unfortunately, applying the wrong classification or overlooking an allowance can result in underpayments, even when the mistake was unintentional.

The Pastoral Award also has provisions for employees to be paid an annualised wage arrangement instead of a standard hourly rate. However, it is important to note that this type of arrangement is subject to strict compliance rules and record-keeping obligations which must be met.

Employment conditions should be reviewed periodically, particularly when employees take on new responsibilities or their role changes over time.

3. *Poor Record Keeping*

Good record keeping isn't just about compliance, it's good business practice. Incomplete timesheets, missing leave records and insufficient documentation can create difficulties if a dispute arises about hours worked, leave balances or pay.

Keeping accurate records also makes payroll easier and provides confidence that employees are being paid correctly. It is also an obligation under the Fair Work Act; employers must retain employee records for seven years. The [Fair Work Ombudsman Record-Keeping Fact Sheet](#) is a useful resource to reference.

4. *Letting Issues Go Unaddressed*

Whether it's poor performance, inappropriate behaviour or ongoing lateness, many employers avoid difficult conversations because they don't want conflict. In reality, ignoring an issue usually makes it harder to deal with later.

Addressing concerns early, respectfully and consistently often prevents small problems from developing into much bigger workplace issues.

Further guidance re this topic is detailed below "*Small Issues Often Become Big Employment Problems*".

5. *Treating Family Members Differently*

Family businesses are common throughout agriculture, but family relationships don't remove employment obligations.

Where family members are employees, it is still important to clearly define roles, responsibilities, hours of work and pay arrangements. This helps avoid confusion and ensures the business remains compliant with workplace laws.

The Bottom Line

Most employment problems don't start with major mistakes. More often, they arise from small issues that have been overlooked or assumptions that have never been checked.

Taking the time to review your employment arrangements, maintain good records and address concerns early can save significant time, stress and cost down the track. A quick health check now may help avoid a costly issue later.

Set aside an hour before your busiest season to review employment agreements, pay rates and workplace records.



SMALL ISSUES OFTEN BECOME BIG EMPLOYMENT PROBLEMS (refer 4. above)

Running a primary production enterprise often means wearing multiple hats. Between livestock, weather, machinery, markets and paperwork, people management can easily slide down the priority list.

The trouble is that many workplace issues don't fix themselves. In fact, the small things are often the ones that end up causing the biggest headaches.

It might start with an employee regularly arriving late, taking shortcuts, not following instructions, or creating tension within the team. It's easy to let these issues go for a while, particularly when everyone is busy and getting the work done seems more important than having an awkward conversation.

Unfortunately, what starts as a minor concern can quickly become a bigger problem if expectations haven't been made clear from the beginning.

One of the best things an employer can do is address concerns early. A simple conversation can often prevent a performance issue from escalating into a formal dispute. In many cases, employees may not even realise there is a problem until it is raised.

When discussing an issue, focus on the behaviour or performance concern rather than the individual. Be clear about what is expected, listen to their perspective and agree on what needs to happen moving forward.

It's also worth making a note of important conversations. You don't need pages of paperwork, but a brief record of what was discussed and any agreed actions can be invaluable if issues continue down the track. An email to yourself detailing a bullet point summary of your conversation and agreed outcomes, will suffice initially.

Remember too that there is often more to the story. A drop in performance or change in behaviour may be linked to fatigue, family pressures, health concerns or a lack of training. Taking the time to understand what's behind the issue can often lead to a better outcome for both the employee and the business.

Like most things in farming, dealing with a problem early is usually easier, quicker and less expensive than waiting until it becomes a crisis.

Employer Tip

If something is concerning you about an employee's performance or behaviour, don't put off the conversation. A respectful discussion today may save you from a much more difficult issue tomorrow.



WORKFORCE STATISTICS

The Australian Bureau of Statistics (ABS) has revealed that Australia's unemployment rate increased to 4.5% in July, following a nearly 16,000-person drop in the number of people employed.

The statistics also show:

- the number of unemployed people went up by 4,000
- the majority of the fall in employment came from males, which fell by 11,000; 10,000 fewer were employed part-time and 1,000 fewer full-time
- female employment dropped by a slightly lower 5,000, with the number of women employed part-time declining by 22,000, but those employed full-time increased by 17,000.
- the country's employment-to-population ratio (the percentage of the working-age population that currently has a job), was down to 63.9%
- Australia's underemployment stayed at 6.4% in July, with the participation rate declining to 66.9%.

On a State basis, South Australia saw the lowest unemployment rate across the country with 4.1%, a drop of 0.2 percentage points from a month ago.

Job Mobility

The ABS also published figures that show over a million Australians changed jobs in the year to February 2026.

There is a long-term trend of decreasing job mobility since the 1970s, with the latest data showing that Australia logged a 7.2% mobility rate in 2026, down from the 7.7% recorded a year ago.





- Dairy cows are social animals and often form close friendships with other cows in the herd. Studies have shown they can become stressed when separated from their preferred companions.
- One of Australia's oldest known cows was *Myrtle* from Victoria, who reached the remarkable age of 35 years, far exceeding the typical lifespan of most cattle; whilst the oldest cow ever recorded was *Big Bertha*, an Irish cow that lived to 48 years and nine months, a Guinness World Record that still stands.
- A cow's unique muzzle pattern is as distinctive as a human fingerprint, with no two nose prints exactly the same.

If you have any questions regarding this update or we can assist with your 'people needs', please don't hesitate to contact us:

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