Information Sheet

Why do I need a Yellow Card to operate an Elevating Work Platform?

Workplace Health and Safety (WHS) Regulations (referred to as Occupational Health and Safety or OSH/OHS in VIC) state that employers or businesses have a legal obligation under work health and safety laws to provide their staff, visitors and contractors with a safe workplace.

As a part of their duty of care these employers or businesses must

- Provide and maintain a safe work environment
- Provide and maintain safe plant and structures
- Provide and maintain safe systems of work
- Provide instruction, training, information and supervision
- Monitor the health of workers and conditions at the workplace

Regulations require that operators of plant equipment must undergo activity-based instruction and training. Verbal instruction is not deemed to be an effective method of training as it lacks written proof of competency evidence.

Workplace Health and Safety Regulations

Work Health and Safety Act 2011 states:

1. The clause applies for the purposes of Section 19 of the Act to a person conducting business or undertaking (or PCBU) (this could be the Trainer)
2. The person must ensure that information, training and instruction provided to a worker is suitable and adequate with regards to
    a. The nature of the work carried out by the worker
    b. The nature of the risks associated with the work at the time the information, training or instruction is provided, and
    c. The control measures implemented.

Maximum penalty (a) in the case of an individual is $6,000 or (b) in the case of a body corporate $30,000

3. The person must ensure, so far as is reasonably practicable, that the information, training and instruction provided under this clause is provided in a way that is readily understandable by any person to whom it is provided.

Maximum penalty (a) in the case of an individual is $6,000 or (b) in the case of a body corporate $30,000

Division 1 Information, training & instruction Clause 39 Provision of Information, training & instruction

Whilst the exact wording of the harmonised WHS Regulations is not the same in the Victorian OHS Acts and Regulations, the concepts of duty of care and managing risks of operating plant is stated in similar context. Refer to:

Occupational Health and Safety Act 2004 (VIC) Part 3, Division 1, Section 20 & 21
Occupational Health and Safety Regulations 2017 (VIC) Part 3.5, Division 5, Subdivision 4, Clause 122 & 123

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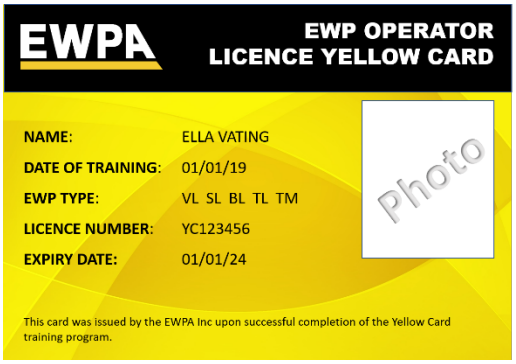
What is the "Yellow Card"?

The EWPA Operator Training Program or "Yellow Card" was created as the result of the EWPA working with industry, helping them to comply with the WHS/OHS/OSH Acts and regulation. This Yellow Card program was designed to ensure that the Yellow Card holder is trained in the safe use and operation of various types of mobile elevating work platforms (MEWPs or commonly referred to as EWPs).

The EWPA Yellow Card provides 'evidence' of this training. The overall intention of the Yellow Card Program is to assist operators, employers, equipment owners and manufacturers to more easily be able to comply with the WHS/OHS/OSH Regulation.

Work health and safety regulations are in place to protect people in the workplace. The EWPA "Yellow Card" is an industry training program helping to provide a safer workplace for all.



How does it work?

The Yellow Card provides proof of completion of training on one or more 'types' of MEWPs. There are a number of training modules covering the various types of MEWPs to be operated -

- Vertical Lift (VL)
- Scissor Lift (SL)
- Self Propelled Boom Lift (BL)
- Trailer Lift (TL)
- Truck Mounted Lift (TM)
- Advanced Boom (AB)

While these are all classed as MEWPs, each one is different in its use and safe operation and therefore require separate training modules to be completed.

After successfully completing the EWPA Yellow Card, the operator is issued a photo ID licence and their licence details are added to the EWPA's online database (approximately 350,000 operators nation-wide) which sites can use to independently verify the validity of the operator's licence.

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Licence Renewal

The Yellow Card is valid for five years from the date of training; an email will be sent to each individual 1 month prior to the licence expiring inviting them to renew for another five years.

For operators that have kept their practical skills current they have the option to complete their licence renewal online. The online renewal fee is currently $57 and involves a short theoretical refresher and assessment to be undertaken to ensure currency of knowledge.

For operators that have not regularly operated machinery over the last 12 months, face-to-face training through an Accredited Trainer is a valid (and effective) method of renewing the Yellow Card.

Holding an EWPA Yellow Card specifically, is not a legislative requirement; meeting the Primary Duty of Care in WHS and OH&S legislation is the legal requirement. The EWPA Yellow Card is designed to help meet this Primary Duty of Care. Safe operation of EWPs is the cornerstone of the Yellow Card course and so the EWPA chooses to align Yellow Card licence expiry with the specifically legislated expiry period of High Risk Work Licences. i.e. 5 years.

Are there alternatives to the Yellow Card for my site?

The EWPA Yellow Card is the Association's method of assisting industry comply with the regulated requirements for EWP training. Other methods could include having in-house training schemes or user specific programs. All programs need to include a structured training format delivered by a competent person such as a qualified workplace trainer/assessor, with training content that meets or exceeds the Australian Standard 2550.10, and manufacturer's safe operating procedures.

The EWPA Yellow Card is a formally structured and audited course that is delivered by highly qualified Accredited Trainers. The course is regularly reviewed by industry stakeholders (manufactures, trainers and technical consultants) and is widely recognised and accepted by industry nationally. The Yellow Card Training Program assists you to comply with the regulated requirements to operate MEWPs in Australia.

What if I do nothing to ensure safety on my site?

A disregard for the Act and Regulations can result in hefty fines and even jail. We all have a responsibility for workplace health and safety.

Where does the High Risk Work License (WP Class) fit in with the Yellow Card?

The High Risk Work (HRW) License is regulated by each State and Territory WHS/OHS/OSH Regulatory Authority (SafeWork/WorkSafe etc). If you are operating an MEWP with a boom length OVER 11 meters (self-propelled, truck mounted or trailer lift) then you must comply with your state or territory regulations and hold a HRW Licence (WP Class).

Operators of any MEWP that does not fall into the High Risk Work Category – this would include scissor lifts or vertical lifts of any platform height, or boom lifts under 11m – should receive adequate information, training and instruction on the use of that type of MEWP. This can be by completing the relevant Yellow Card Module.

In some instances, you may need BOTH a High Risk Work License and Yellow Card. E.g. If you are required to operate a scissor lift of any platform height as well as a boom lift over 11m.

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IN SUMMARY

OHS and WHS Acts and Regulations are in place to protect all workers, visitors and contractors at any workplace. The EWPA Operator Licence (Yellow Card) is an industry initiative helping to provide a safer working environment for all stakeholders. It is formally structured, continuously reviewed and a widely recognised program that meets the legislated requirements to operate MEWPs in Australia.

About the EWPA

The purpose of the EWPA is to ensure safety as well as support and promote the Elevating Work Platform industry. The EWPA is dedicated to ensuring members are kept up to date with the latest safety information relating to the operation and regulations regarding the use of elevated work platforms. This is done through the wide range of services and benefits made available to members of the EWPA. These services include access to the EWPA Operator License Training Program (Yellow Card), industry advice lines, master agreements and specialised stationery available to order.

Should you wish to find out more about the EWPA please visit www.ewpa.com.au or call 02 9998 2222