

Assessment 1: Research

Mr Smith Case Study

The client is Billy Smith, a Walbunja man, DoB: 22/06/1995, of 26 Mansfield Street, Moruya, NSW.

Mr Smith works at ABC meat processing plant in Batemans Bay and has worked there for 6 months. His job is to unload, move and control the animals when they are first brought to the abattoir. For the past month Billy has been feeling unwell. His symptoms include joint pain, fatigue, headache, cough and loss of appetite. At first, he put it down to general overwork and stress but when it got to the stage where he felt he could not do his job safely he had to take time off work and seek medical help. The doctor diagnosed Billy with *Brucellosis* which is a systemic infectious disease transmitted from certain animals (including cows) to humans via inhalation of the organism or by direct contact with infected animal secretions. The doctor told Billy that the symptoms do not always appear immediately and that he might have picked up the infection months ago as it appeared that Billy had developed what could be long-term chronic symptoms. This meant that Billy could be off work for up to several months. As Billy has only been working at the abattoir for less than one year, he has very little sick leave or holiday leave owing and he cannot afford to take unpaid sick leave for months on end. He is supporting a young family and also contributes to the upkeep of his parents and younger siblings.

Billy's boss is John Milton, the owner of several abattoirs in NSW. Billy has heard rumours from some of the other workers that John Milton puts profits ahead of his workers and that he is known to cut corners with regards to providing the correct protective safety gear needed to prevent infection while working closely with livestock. For example, not providing sufficient goggles, gloves, masks, etc. to protect the workers against exposure to aerosols and body fluids of the cattle that carry the brucellosis.

Billy has come to seek the advice of XYZ Legal for the following reasons:

1. Billy wants to know if workers compensation would be available to him under NSW legislation, and if so, how much would he be entitled to.
2. Billy wants advice regarding whether to report John Milton to the relevant authorities for putting the health of all the workers at risk by not providing a safe work environment. Billy has heard from one of his co-workers that John Milton has probably breached his obligations under WHS law.