

# Application for an enforceable undertaking

June 2019

Part 4, [Health and Safety at Work Act 2015](#)

The commitments in this application are offered to WorkSafe New Zealand by

Name of entity or, partnership or individual applying for this undertaking

RCF Trading Limited



# Application for an enforceable undertaking

Part 4, Health and Safety at Work Act 2015

The commitments in this application are offered to WorkSafe New Zealand by

Name of the person or persons who will be signing this undertaking in section 4:

Rufu Liao (Jacky)

On behalf of:

RCF Trading Limited

Name of the entity giving this undertaking (if an individual or sole trader, leave blank – complete in all other cases)

RCF Trading Limited

This enforceable undertaking is given on the day and date that it is accepted and signed by WorkSafe. The undertaking and its enforceable terms will operate as a legally binding commitment on the part of the person from the date it is given.

Do not refer to the victim by name in this document. Please refer to the victim/worker/employee/volunteer/or other term as appropriate.

WorkSafe respects your privacy and is committed to protecting personal information. The information provided in this document is for the purpose of an undertaking given to WorkSafe under Part 4 of the *Health and Safety at Work Act 2015*. This information will be managed within the requirements of both the *Privacy Act 1993* and the *Official Information Act 1982*.

There is an expectation that WorkSafe will generally publish the undertaking in full on its website.

TERM	DEFINITION
<b>Contravention</b>	An action which offends against the <i>Health and Safety at Work Act 2015</i> and/or any Regulations made under it. It includes both health and safety contraventions. A contravention also includes an alleged contravention.
<b>HSMS</b>	A Health and Safety Management System.
<b>Person</b>	An individual who or a legal entity which has a duty under the <i>Health and Safety at Work Act 2015</i> and can give a written undertaking. The term includes individuals, each partner in a partnership, corporations, trustees of trusts, and crown organisations.
<b>Health and Safety legislation</b>	<i>Health and Safety at Work Act 2015</i> and associated regulations.
<b>Enforceable undertaking</b>	An enforcement pathway that allows a duty holder to voluntarily enter into a binding agreement with WorkSafe. The agreement outlines actions the duty holder will undertake to address the contravention. It is expected to deliver activities which benefit workers, the wider industry or sector and/or the community as well as acceptable amends to any victim(s).

## 1. General information

### 1.1 Details of the person/persons/entity giving the undertaking

Name of person(s) making this undertaking: (in all cases complete with the name(s) of those who are signing this undertaking under Section 4)

Rufu Liao (Known by the English name Jacky)

Name of entity: (if applicable, leave blank if an individual)

RCF Trading Limited

Type of legal entity: (complete in all cases, for example individual, sole trader, partnership, trust, company, etc)

Limited Liability Company

Nominated contact person: (the same person listed above/one of those listed above)

Alfred Chong, CROFTFIELD LAW BARRISTERS & SOLICITORS & Nat Bunlee, First Step Solutions

Physical address:

RCF Trading - Registered Office  
39A Nigel Road  
Browns Bay  
Auckland 0630  
New Zealand

Postal address: (if different from physical address)

Work phone: +64 9 443 2002

Mobile phone: +64 9 443 2000

Email: alfred@croftfieldlaw.co.nz, nat@firststepsolutions.nz

Industry: Manufacturing

Workers (enter numbers):

Full-time: 4+ MrLiao Part time: 1 Casual: 0

Description of the products and services provided by the business or undertaking:

RCF Trading Limited operates a Chinese Butchery Outlet, located within the Tai Ping Trading Co, Asian Supermarket at 92 Rosedale Road, Albany.

Comments:

English is Mr Rufu Liao's second language and is limited. Mr Liao is more comfortable communicating in his native language so his lawyer Alfred Chong will be the main point of contact if WorkSafe needs to communicate directly with Mr Liao.

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## 1.2 Detail of the contravention

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WorkSafe New Zealand (WorkSafe) has charged RCF Trading Limited (RCF) with one offence under Section 36(1)(a), 48(1) and (2)(c) of the Health and Safety at Work Act 2015.

The alleged contraventions are that RCF being a PCBU having a duty to ensure, so far as is reasonably practicable, the health and safety of workers who work for the PCBU, at its butchery outlet, located within the Tai Ping Trading Co, Asian Supermarket at 92 Rosedale Road, Albany, namely operating an unguarded meat mincing machine, did fail to comply with that duty, and that failure exposed the workers to a risk of serious injury between 1 November 2023 and 28 January 2024.

On 27 January 2024 a worker was injured as a result of operating the unguarded meat mincing machine while carrying out work for RCF at the butchery.

The charging document states that in order to ensure the health and safety of its workers, RCF should of taken the following reasonably practicable steps:

- (1) Ensured the machine was adequately guarded to the AS/NZS 4024 standard or better;
- (2) Ensured the machine was made inoperable as soon as the guard on the machine became detached.

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### 1.3 Detail the events surrounding the contravention

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On 27 January 2024, an incident took place at the RCF Trading Limited butchery outlet located within the Tai Ping Trading Co supermarket in Albany, Auckland.

A casual worker, who has a long-standing association with the business [REDACTED] sustained a serious hand injury while assisting during a busy period.

The injured worker was operating a Mainca PC-82/22 meat mincing machine when a piece of meat became lodged in the feed inlet. In an effort to clear the blockage, and while wearing both cotton and plastic gloves, the injured worker reached into the feed area and her hand was pulled into the mechanism, resulting in the amputation of four fingers.

At the time, the machine's original safety guard was no longer in place, having broken off approximately two months earlier. While staff had been reminded to take care when operating the machine, including using a plastic pusher and appropriate gloves, the machine continued to be used without the guard.

WorkSafe was notified of the incident promptly. A prohibition notice was issued and the machine was permanently decommissioned shortly afterward. An independent technical assessment confirmed that the machine did not meet current safety standards in its unguarded state.

RCF Trading Limited acknowledges that more could have been done to manage the risk once the guard became detached and sincerely regrets the circumstances that led to the worker's injury. The company has since taken steps to ensure that similar risks are not present in its operations going forward.



#### 1.4 Detail any enforcement notices issued that relate to the contravention as detailed in term 1.2

DATE	NOTICE TYPE	NOTICE NUMBER	CONTRAVENTION OR PROHIBITED ACTIVITY	ACTION TAKEN IN RESPONSE TO NOTICE
27 / 01 / 2024	Prohibition Notice	WSNZ34627	Operation of machine	Machine Decommissioned
DD / MM / YEAR				
DD / MM / YEAR				

#### 1.5 Detail the rectifications to the workplace or work practices made as a result of the contravention (1.2), events (1.3) and the enforcement notices issued (1.4)

Following the incident, Mr Rufu Liao took immediate and sustained action to support the emotional wellbeing of his staff, recognising the significant impact the event had on all workers a number of whom are related. A key focus has been fostering a culture of openness and caution, where workers are encouraged to "ask first" if they are uncertain or lack confidence in safely undertaking a task. In such cases, staff are supported to step away from the task and undertake alternative duties until appropriate training can be provided.

The machine involved in the incident was permanently decommissioned and replaced with a new unit (Mincer Mainca Bench PC-32 1 Phase from Dunninghams) that includes appropriate and compliant guarding. The manufacturer of the new machine provided Mr Liao with comprehensive training in its safe operation. Mr Liao has subsequently ensured that all staff operating the machine have received training and are competent in its use.

Checks were also undertaken to ensure that the other two machines operating in the business, a meat saw and a meat slicer had appropriate and compliant guarding in place.

To further strengthen safe work practices, the business has implemented a system of scheduled annual servicing and regular maintenance checks for all operational machinery. This is designed to ensure continued mechanical integrity and reduce the risk of future harm.

In addition, the business has introduced a weekly team meeting dedicated to health and safety. These sessions provide a structured opportunity for workers to discuss emerging risks, review any near misses or incidents, and collaboratively identify improvements to existing processes and procedures. Staff are actively encouraged to raise concerns and contribute to the ongoing development of a safer work environment.

#### 1.6 Total amount of money spent on rectifications

Replacement mincing machine - Mincer Mainca Bench PC-32 1 Phase - \$5,860 + GST (This price also included training provided by the manufacturer)

Annual maintenance and servicing plan for all three machines operating within the business - \$500

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**1.7 Detail the injury sustained or illness suffered by victim(s) or other(s) as a consequence of the contravention or, (as applicable) the *potential* for fatal injury or future fatal illness**

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While operating the meat mincing machine, the injured workers left hand was drawn into the unguarded feed inlet, leading to the amputation of four fingers at the base of the proximal phalanges.

The incident has had a profound effect on the injured workers family and those close to her, including the wider RCF team.

RCF acknowledges the seriousness of the injury and deeply regrets the circumstances that led to this outcome.

The business remains committed to supporting the injured worker's ongoing recovery and wellbeing.

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**1.8 Detail any offer of amends or payments made to the victim(s) who sustained injury or suffered illness (the total monetary amount here is also to be included in the table at 3.12.3)**

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Describe the victim(s) relationship to you/the entity in question: (eg employee(s)/shareholder/director/family member/contractor, etc. If the relationship has more than one dimension, for example a family member who is also an employee and a director and/or shareholder of the business, or an employee who is a shareholder (etc) - then please describe this)

The injured worker [REDACTED] was a casual worker at the Butchery at the time of the incident.

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Detail offer of amends or payments:

The impact of this incident has been life changing for the victim and her family and friends which include Mr Liao and the other workers at the Butchery. Mr Liao has already paid a total lump sum of [REDACTED] to the victim on 12/03/2025 and [REDACTED] continues to support her recovery and day to day life.

**1.9 Detail any consultation with the victim(s) as to their views on whether an enforceable undertaking would be an acceptable alternative to prosecution**

See attached supporting letter from the victim

**1.10 Detail any consultation with unions/sector/industry as to their views on whether an enforceable undertaking would be an acceptable alternative to prosecution**

See attached letters of support from other small Asian butcheries and also the EMA.

**1.11 Detail the support provided or proposed by the person to the victim(s), other(s)**

DATE	DESCRIPTION OF SUPPORT	COMMENTS
DD / MM / YEAR	Supported victim to hospital visits and doctor/specialist appointments	27/01/2024 - Ongoing
DD / MM / YEAR	Supported with day to day living tasks, cooking, cleaning etc.	27/01/2024 - Ongoing
DD / MM / YEAR	Support with travel to community support group	27/01/2024 - Ongoing
DD / MM / YEAR		
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DD / MM / YEAR		



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### 1.12 Detail any current HSMS implemented and maintained by the person

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Describe how health and safety risks are managed, including types of procedures or policies or standards:

At the time of the incident RCF Trading Limited did not have a formal written health and safety management system in place. Since the incident the components of a good H&S system are being implemented across the business including: identification of risks and risk management strategies, regular training and instruction provided to all workers, incident reporting and review system and a chance for workers to raise ideas for improvement or concerns at weekly meetings.

As a small, family-owned and operated business, training is often delivered verbally and on-the-job, with a strong emphasis on practical demonstration and regular supervision. There is a high level of day-to-day engagement between the owner and workers, which enables immediate feedback, coaching, and reinforcement of safe work practices. This approach is consistent with the close-knit and responsive nature of the workplace. It is also important to acknowledge the cultural context. As a Chinese family-run business, communication and instruction often take place in Mandarin and are grounded in a high-trust environment with shared responsibilities and expectations. While this may differ from more formalised systems common in larger or western businesses, it reflects the cultural norms and dynamics of the workplace and the importance placed on family, respect, and duty of care.

Mr Liao recognises the value of continuous improvement and is committed to strengthening health and safety processes, including exploring opportunities to formalise systems in a way that is culturally appropriate and sustainable in a small business context.

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### **1.13 Detail the level of auditing undertaken on the HSMS, including compliance audits and audit frequency**

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Training is provided to all workers whenever new machinery or processes are introduced into the business. The owner personally ensures that no worker operates any equipment unless they have been shown how to use it safely and are confident in doing so. This training is delivered on the job and often in the worker's first language (Mandarin), to ensure clear understanding and reduce the risk of miscommunication. Given the small size and family-run nature of the business, training is typically practical, hands-on, and integrated into daily operations. This approach supports high levels of supervision and enables real-time correction and coaching. To reinforce safe practices, weekly Monday staff meetings are held to discuss operational risks and ideas for improvement, address any issues, and reflect on any near misses or changes in procedures. These meetings also serve as a platform for workers to raise safety concerns and suggest improvements to how work is carried out. In addition to training, a system of regular servicing and scheduled maintenance has been introduced for all machinery used within the business. This ensures that equipment remains in safe working condition and helps reduce the risk of mechanical failure or harm. The business is committed to continuous improvement and to maintaining a safe, culturally respectful, and responsive working environment for all staff.

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### **1.14 Detail the consultation undertaken or proposed to be undertaken, in relation to this undertaking**

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RCF has consulted with a number of other small Chinese owned businesses about the proposed undertaking and their future participation. You will find letters of support from these businesses attached to this application.

The Employers Manufacturing Association has also been consulted and agreed to support the delivery of this proposed undertaking by allowing RCF to access their Chinese business network for the purposes of delivering the initiatives outlined in this undertaking. A letter of support from the EMA can be found attached to this application.

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## 2. General terms

The person acknowledges and commits to the general terms set forth in the sub-terms below.

### 2.1 Acknowledgement that WorkSafe alleges a contravention occurred as detailed in term 1.2

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RCF acknowledges that WorkSafe has alleged a contravention, as detailed in term 1.2 above, has occurred.

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### 2.2 Statement of regret that the contravention occurred

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RCF sincerely regrets the harm that was suffered by the worker involved in this incident. We acknowledge the seriousness of the injury and the significant distress and life altering changes it has caused. This incident has had a profound impact across the business, [REDACTED] the incident reinforced the importance of our responsibilities under the Health and Safety at Work Act 2015 and has strengthened our commitment to ensuring the safety and wellbeing of everyone in the workplace. This enforceable undertaking is offered as a way to acknowledge the harm, provide support to the injured worker and her family, and implement meaningful improvements that benefit our workers, the wider industry, and the community.



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### **2.3 Statement of the reasons why, on balance, the person considers this undertaking is the most appropriate response to the contravention**

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RCF considers this enforceable undertaking to be the most appropriate response to the contravention because it allows the business to take responsibility for the incident in a constructive, forward-focused way. The undertaking provides a framework to deliver meaningful improvements to health and safety systems, processes, and culture, both within the business and more broadly for small Asian owned businesses of whom there are a number that struggle with understanding basic H&S systems and processes to protect workers. As a small, family-owned operation, the incident had a deeply personal impact and has driven an internal shift toward greater awareness, accountability, and care. RCF believes this undertaking offers an opportunity to not only support the injured worker and her family, but also to invest in initiatives that will prevent similar incidents for small Asian owned businesses, strengthen worker engagement, and build long-term safety capability. Rather than diverting resources toward legal proceedings, this undertaking enables RCF to commit those resources to actions that deliver lasting benefits, enhancing worker wellbeing, improving machinery safety, and contributing positively to other businesses and the local community. Through this process, RCF seeks to demonstrate genuine remorse, take accountability, and create safer outcomes for everyone connected to the business.

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#### **2.4 Statement of commitment that the behaviour, activities and other factors which caused or led to the contravention has ceased and will not reoccur**

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RCF commits that the behaviour, activities, and other factors which caused or contributed to the contravention have ceased and will not reoccur. The unguarded machine involved in the incident has been permanently removed from use, and all current and future equipment is now being checked to ensure it meets applicable safety standards. We are also strengthening internal systems and controls to ensure ongoing compliance and prevent similar risks in future operations.

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## 2.5 Acknowledgment of the policy published by WorkSafe for the acceptance of an undertaking

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(write the name of the person(s) or entity giving the undertaking)

RCF Trading Limited

has read and understood the Enforcement Undertaking Operational Policy.

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## 2.6 Acknowledgement that this undertaking will be published and publicised in full

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(write the name of the person(s) or entity giving the undertaking)

RCF Trading Limited

acknowledges that the undertaking will, if accepted, be published on WorkSafe's website in full and referenced in WorkSafe material.

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## 2.7 Statement of the person's ability to comply with the terms of this undertaking and meet the projected costs of the activities

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(write the name of the person(s) or entity giving the undertaking)

RCF Trading Limited

has the financial ability to comply with the terms of this undertaking and have provided evidence by way of

(type of evidence provided)

See attached Financial Statements and a letter from RCF Trading Ltd's accountant outlining the businesses current financial position.  
with this undertaking to support this declaration.

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In the event of impending receivership, liquidation or sale of the entity, (write the name of the person(s) or entity giving the undertaking)

RCF Trading Limited

will advise WorkSafe of the relevant circumstances and its capacity to comply with the outstanding terms of this undertaking.

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## 2.8 Statement outlining any relationship between the person and any corporations, officers, employees, contractors, proposed beneficiaries of donations or scholarship or other recipient of financial benefit contained in this undertaking

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RCF Trading Limited confirms there are no undeclared relationships with any individuals or organisations proposed to receive financial or other benefit under this undertaking.

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## 2.9 Statement regarding Intellectual Property

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(write the name of the person(s) or entity giving the undertaking)

RCF Trading Limited

grants WorkSafe a perpetual, non-exclusive, worldwide and royalty-free licence to use, for any purpose, all Intellectual Property Rights in relation to any material developed as a result of this undertaking. This licence includes the right to use, copy, modify and distribute the materials.

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## 2.10 Acknowledgement that the person may be required to provide a statutory declaration

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(write the name of the person(s) or entity giving the undertaking)

RCF Trading Limited

acknowledges that it may be necessary for WorkSafe to obtain a statutory declaration outlining details of any prior convictions (safety related) outside of New Zealand and that it will provide such declaration if required by WorkSafe

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## 2.11 Statement of commitment from the person to participate constructively in all compliance monitoring activities for this undertaking

1. It is acknowledged that responsibility for demonstrating compliance with this undertaking rests with the person.
2. Evidence to demonstrate compliance with the terms will be provided to WorkSafe by the due date for each term.
3. The evidence provided to demonstrate compliance with this undertaking will be retained by the person until advised by WorkSafe, that this undertaking has been completely discharged.
4. It is acknowledged that any failure to meet the due date for an enforceable term will result in the matter being escalated and may lead to enforcement action.
5. It is acknowledged that WorkSafe may undertake other compliance monitoring activities to verify the evidence and compliance with an enforceable term, and cooperation will be provided to WorkSafe.
6. It is acknowledged that WorkSafe may initiate additional compliance monitoring activities, such as inspections, as considered necessary at WorkSafe's expense.
7. It is acknowledged that details of all seminars, workshops and training conducted by a non-registered training provider must be notified to WorkSafe, by email, at least one week prior. Notification should include time, date, location and the trainer/facilitator.

(write the name of the person(s) or entity giving the undertaking)

RCF Trading Limited

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### 3. Enforceable terms

The person acknowledges all activities set forth in the enforceable terms below must be auditable and include a date for completion and an estimated cost for each activity.

The person commits to performing the activities below diligently, competently and by the respective completion date.

#### **3.1 A commitment by the person to perform activities that will ensure the ongoing effective management of risks to health and safety in the future conduct of its business or undertaking**

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Detail the management strategies to be employed that will satisfy and demonstrate to officer/s of the person that this commitment is being met:

RCF Limited is committed to carrying out the actions and activities detailed in this application to ensure the ongoing effective management of health and safety in the future conduct of the business and this Enforceable Undertaking.

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### 3.2 A commitment by the person to disseminate information about this undertaking to workers, and other relevant parties

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(this may include to work health and safety representatives and in the organisation's annual report, if applicable)

Dissemination will be achieved by doing the following:

RCF Commits to:

Engaging and sharing the outcome with the Injured worker no later than 10 days from the acceptance of the Enforceable Undertaking

Engaging and communicating with the workers in the Butchery within 10 days of the acceptance of the Enforceable Undertaking

Engaging and communicating with the EMA and other interested parties (identified in Section 3.3, 3.4 and 3.5) no later than 30 days from the execution of the Enforceable Undertaking.

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Dissemination will occur by: DD / MM / YEAR

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### 3.3 Activities to be undertaken to promote the objectives of the health and safety legislation that will deliver benefits for workers and/or work and/or the workplace

[illegible]

#### 3.4 Activities to be undertaken to promote the objectives of the health and safety legislation that will deliver benefits for the wider industry or sector

[illegible]

[illegible]



**3.6 Where WorkSafe considers appropriate in the circumstances, undertaking a SafePlus Onsite Assessment**

Further information about SafePlus can be found here: [worksafe.govt.nz/about-us/who-we-are/our-priorities/safeplus/about-safeplus](https://worksafe.govt.nz/about-us/who-we-are/our-priorities/safeplus/about-safeplus)

- 3.6.1 The suitability of a SafePlus assessment will be determined by the Enforceable Undertakings Panel when your application is considered.
- 3.6.2 In addition to the total cost below (3.7) all costs of a SafePlus Onsite Assessment will be met by the person making this undertaking. The fee charged for an Onsite Assessment is a commercial matter between your business and the SafePlus Accredited Assessors that you commission.

**3.7 Minimum spend**

(write the name of the person(s) or entity giving the undertaking)

- 3.7.1 RCF Trading Limited  
commits to a minimum spend of \$ [REDACTED] for this undertaking.

(write the name of the person(s) or entity giving the undertaking)

- 3.7.2 RCF Trading Limited  
agrees to spend any residual amount arising from an original term not being completed or being less costly than estimated in this undertaking. Agreement on how to spend this residual amount will be sought from WorkSafe

(write the name of the person(s) or entity giving the undertaking)

- 3.7.3 RCF Trading Limited  
Acknowledges the minimum spend comprises of the:

TOTAL COST	MINIMUM SPEND
Financial amends paid to victims (if applicable)	[REDACTED]
Benefits to workers/others	\$45,340
Benefits to industry	\$6000
Benefits to community	\$2000
Estimated cost of the undertaking Plus GST (if any)	[REDACTED]

#### 4. Execution

##### Authorised representative of an organisation

Undertaking given by (name of authorised representative)

Rufu Liao

In my own right and in my capacity as (eg President, Chairperson, etc)

Director

of (eg organisation name) RCF Trading Limited

On the (day) 27 day of (month) November, 2025 (year).

Signature of the person giving the undertaking:



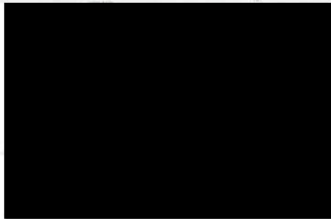
Undertaking given before me:

Witness name:

Witness address: Alfred Chong  
Croftfield Law  
Barrister and Solicitor  
Auckland

3A Tegel Court  
Wairau Valley  
Auckland.

Witness signature:



#### 5. Acceptance

This undertaking is accepted by WorkSafe.

On the (day) day of (month), 20 (year).

Signature of person accepting the undertaking:



Name of WorkSafe representative: (General Manager, WorkSafe (or delegate))

Undertaking given before me:

Witness name:

Witness address:



Witness signature:



## Appendix - A

This appendix contains further detail of the initiatives outlined within the application for an enforceable undertaking made by RCF Trading Limited (RCF), with numbering corresponding to the relevant section in the application document.

Activities	Estimated Costs	Timeframe
<b>3.3 Activities to be undertaken to promote the objectives of the health and safety legislation that will deliver benefits for workers and/ or work and/ or the workplace</b>		
3.3.1 - Development and Trial of a Culturally Appropriate Good Work Toolkit for RCF Trading Ltd.	\$40,000 + GST	2 years
3.3.2 - Microlearning Educational Modules with Knowby Learning Management	\$5,340 + GST	2 years
<b>3.4 Activities to be undertaken to promote the objectives of the health and safety legislation that will deliver benefits for the wider Industry or sector</b>		
3.4.1 - Sector-Wide Pilot, Toolkit Distribution, and Facilitated Support for Small Chinese-Owned Businesses	\$4000 + GST	2 years
3.4.2 - Creating a written case study outlining lessons learned as part of this Enforceable Undertaking that will be submitted to Safeguard Magazine for consideration	\$2000 + GST	6 months
<b>3.5 Activities to be undertaken to promote the objectives of the health and safety legislation that will deliver benefits for community</b>		
3.5.1 - Donation to the New Zealand Qionghai Association (Already Paid)	\$2000	2 years
<b>Total Estimated Cost of Initiatives</b>		
<b>\$53,340 + GST</b>		



## Introduction

RCF currently operates with an informal health and safety system that, while not well documented, is firmly embedded in daily practices and influenced by long-standing cultural norms within the business. Following the incident, high-level controls were introduced in line with the hierarchy of controls. Most notably, the machine involved in the incident was replaced, and fully compliant guarding was reviewed and installed, where needed, on all machines in the butchery. With these critical engineering controls now addressing the key risks in the business, there is an opportunity to build on this foundation by developing a more structured and culturally responsive approach, one that combines established Western health and safety practices with culturally appropriate methods that reflect the values, language, and communication preferences of the Chinese workforce.

A key focus of this work is meeting the Chinese workers where they are in terms of current health and safety capability, and ensuring that the systems, tools, and messages developed are simple, clear, and practical to apply. The initiatives outlined in the following sections reflect RCF's commitment to continuous improvement, improved health and safety outcomes for its employees, and the development of a replicable model that can be shared more broadly with other small Chinese businesses to support safer, more culturally supported workplaces across New Zealand.

### **3.3 Activities to be undertaken to promote the objectives of the health and safety legislation that will deliver benefits for workers and/or work and/or the workplace**

**RCF Proposes two initiatives to meet the requirements of 3.3 which are:**

- 3.3.1 – Development and Trial of a Culturally Appropriate Good Work Toolkit for RCF Trading Ltd.
- 3.3.2 – Microlearning Educational Modules with Knowby Learning Management

#### **3.3.1 – Development and Trial of a Culturally Appropriate Good Work Toolkit for RCF Trading Ltd.**

##### **Background**

RCF Trading Ltd is a small, Chinese-owned butchery with five staff. The incident leading to this undertaking revealed gaps in their health and safety systems, particularly around identifying critical risks like machinery guarding and safe operating procedures, and worker training. Many small Chinese-owned businesses face similar issues, often due to language, cultural, and literacy barriers contributing to their lack of understanding of their responsibilities.

Small business owners in these communities have limited awareness of their legal obligations under the Health and Safety at Work Act 2015 (HSWA) and often rely on informal systems or verbal instruction. Without accessible, culturally relevant guidance, these businesses remain at higher risk of serious harm incidents.

### Purpose

This initiative will support RCF Trading Ltd to act as the test site for the development, trial, and implementation of a culturally tailored Good Work Toolkit that integrates traditional Chinese values with proven good work and health and safety practices.

RCF's current approach to health and safety is grounded in informal, culturally embedded ways of working where care for others, respect for experience, and strong interpersonal relationships guide daily operations. This initiative aims to build on those strengths by co-designing a more structured system that aligns with how the business naturally functions while meeting regulatory requirements.

As the lead site for this work, RCF will play a central role in shaping a practical and relevant toolkit, and in doing so, will receive direct benefits through:

- Access to tools and resources that explain HSWA obligations in culturally appropriate, plain language.
- Tailored templates and processes based on good work design principles that reflect the day-to-day realities of running a Chinese-owned food and butchery business.
- Practical examples of safe work procedures that align with RCF's operational environment.
- Digital microlearning training modules delivered via Knowby to support staff with limited literacy or English proficiency (see Initiative 3.3.2 for more detail).

Through this process, RCF will strengthen its internal health and safety systems by embedding the good work toolkit while also improving communication and understanding between managers and staff and building workforce confidence and capability. The insights and lessons from RCF's involvement will shape the toolkit, ensuring it is grounded in real-world application.

### Scope

This initiative will involve the co-design, testing, and refinement of a culturally tailored good work toolkit, with RCF Trading Ltd acting as the pilot site. The toolkit will be developed specifically for small Chinese-owned businesses operating in food retail and butchery settings, where health and safety systems are often informal and shaped by cultural norms.

The scope of the initiative includes:

- **Toolkit Development:** Create a practical, easy-to-use good work toolkit that combines, good work principles, regulatory requirements and traditional Chinese approaches to responsibility, leadership, and wellbeing. The toolkit will focus on providing guidance and templates based on good work principles while also addressing how to manage risk within a business. (e.g. Risk management, WEPR, Incident reporting)
- **Digital Microlearning Integration:** Use Knowby digital microlearning training modules to enhance the toolkit. These modules will combine visual and written instructions to support understanding of safe practices identified in the toolkit.
- **Language Accessibility:** Translate key components of the toolkit and digital modules into simplified Chinese to ensure accessibility for workers with limited English.
- **RCF System Redesign:** Work alongside RCF as the pilot test site to test and trial the elements that will make up the good work toolkit as well as create the content for the microlearning Knowbys.

- **Worker Feedback and Co-design:** Engage RCF workers in the testing and refinement of toolkit materials to ensure content is understandable, relevant, and culturally appropriate.
- **Pathway to Wider Adoption:** Use the insights from the RCF trial to refine the final version of the toolkit for broader application across other Chinese businesses. Materials and learnings will be shared with the Employers and Manufacturers Association (EMA) Chinese Business Owners Group to support wider industry uptake. Other Asian business groups will also be explored.

### **Delivery**

This initiative will be delivered through a phased, collaborative process centred around RCF as the pilot site. The approach prioritises co-design with workers, cultural relevance, and integration into day-to-day operations to ensure long-term impact and effectiveness.

### **Toolkit Design & Creation**

- Partner with Leveki Ltd. and Chinese Health and Safety Professional Michelle Wu to co-design and develop the good work toolkit, drawing on both regulatory requirements and cultural insights specific to Chinese-owned food and butchery businesses.
- Translate key toolkit components into simplified Chinese and test language clarity and relevance with RCF staff to ensure understanding and usability.

### **Knowby Microlearning Development** (See initiative 3.3.2 for further information)

- Collaborate with First Step Solutions to create a suite of targeted microlearning training modules (Knowbys) covering core elements identified in the toolkit.
- Actively involve RCF staff in the co-design of these modules to reflect real work practices, language preferences, and cultural nuances.

### **Implementation at RCF**

- Integrate the completed toolkit and Knowby modules into RCF's daily operations.
- Staff will have immediate access to relevant Knowby microlearning training modules through their digital devices.

### **Feedback and Continuous Improvement**

- Conduct interviews, and informal discussions with RCF staff to gather feedback on toolkit usability, relevance, and training effectiveness.
- Refine the toolkit and learning modules based on worker feedback and implementation insights to ensure they are practical, clear, and sustainable.
- Prepare the final version of the toolkit for wider dissemination, including through the Employers and Manufacturers Association (EMA) Chinese Business Owners Network, ensuring it is ready for adoption by similar Chinese owned businesses.

### **Expected Outcomes**

This initiative is expected to deliver significant improvements to RCF's internal health and safety practices. Workers will gain a clearer understanding of their roles and responsibilities, supported by practical, culturally appropriate training tools that build confidence, encourage participation, and reduce the risk of harm, particularly in high-risk areas such as machinery use through good work design principles. The introduction of visual microlearning modules, tailored to RCF's food and butchery operations, will enhance the elements outlined in the toolkit while allowing workers to create their own learning modules ongoing.

Through this process, RCF will strengthen its systems, clarify procedures, and foster a culture of trust and shared responsibility. Business owners and staff alike will have access to materials that make good work and health and safety feel more relevant, achievable, and

aligned with their values. The final output, a fully tested, practical toolkit will be suitable for adaptation and rollout to other small Chinese-owned businesses, supporting broader improvements in health and safety capability across the sector.

#### **Estimated Cost**

Toolkit development: \$40,000 + GST

**Total - \$40,000 + GST**

### **3.3.2 – Microlearning Educational Modules with Knowby Learning Management System**

#### **Background**

The workforce at RCF Trading Ltd is made up entirely of Chinese-speaking employees, with Mandarin as their primary language. For many, English is a second language, and written instructions in English, especially when using technical or regulatory terms, can be difficult to fully understand. This presents challenges in communicating health, safety, and operational requirements clearly and consistently.

The incident that led to this enforceable undertaking highlighted that traditional approaches to safety communication, such as printed machine instructions in English or signs, do not always ensure full understanding or safe work practices. This can be compounded by low literacy levels in either English or Chinese, and by cultural reluctance to ask clarifying questions in a work setting.

There is a need for a tailored, culturally appropriate, and accessible training approach that overcomes these barriers, ensuring all workers understand and can apply critical safety procedures.

#### **Purpose**

The purpose of this initiative is to design a suite of microlearning training modules. These modules will use short videos, images, and plain-language text (in simplified Chinese and English) to ensure essential safety information is communicated in a way that is culturally relevant, practical, and accessible to all RCF workers.

This initiative builds directly on the culturally tailored Good Work Toolkit developed in Initiative 3.3.1. While the toolkit provides a structured framework for good work practices with health and safety as an outcome of those, the Knowby modules aim to bring that content to life making it easier for workers to engage with, understand, and apply in their daily work.

#### **Scope**

This initiative will translate key elements of the Good Work Toolkit into culturally responsive digital microlearning modules that support day-to-day implementation at RCF Trading Ltd.

The scope includes:

- **Translation of Toolkit Content into Microlearning:** Collaborate with First Step Solutions to convert selected components of the toolkit into short, visual digital learning modules aligned with real work practices.
- **Language and Cultural Adaptation:** Translate all core content into simplified Chinese to support comprehension and inclusivity.
- **Focus on High-Risk Tasks:** Develop modules for high-risk activities in a small butchery setting, such as safe use of machinery, glove/PPE use, emergency stop procedures, and incident/hazard reporting.



- **Accessible Learning Channels:** Provide workers with access to the Knowby modules via their personal digital devices.
- **Feedback Loop:** Enable interactive feedback within the modules so workers can comment on content and suggest improvements based on how tasks are actually carried out ensuring ongoing alignment.
- **Integration with Daily Operations:** Embed microlearning into onboarding processes, and supervisor responsibilities to reinforce consistent safe behaviours and support sustained learning.

Through this approach, RCF's workforce will be equipped with practical, culturally aligned digital tools that reinforce the broader goals of the Good Work Toolkit and help create a safer, more engaged workplace.

### Delivery

This initiative will be delivered in close collaboration with RCF Trading Ltd, placing worker voice and cultural relevance at the centre of each phase. The following steps outline the approach:

1. **Project Setup:** Form a project team comprising RCF's director, worker representatives, Leveki Ltd. and First Step Solutions to guide design, testing, and implementation.
2. **Toolkit-to-Microlearning Review:** Identify and prioritise key toolkit components for conversion into microlearning modules, with a focus on high-risk tasks and those critical to day-to-day operations.
3. **Module Design and Co-Development:** Work alongside RCF staff to design short, engaging Knowby modules that combine photos, videos, and plain-language text. All modules will be translated into simplified Chinese.
4. **Pilot Testing and Refinement:** Test each module with RCF workers in real work settings. Use feedback to ensure clarity, cultural fit, and practical relevance, refining content to match "work as done."
5. **Platform Integration and Staff Orientation:** Publish final Knowby modules and provide hands-on orientation for staff to access content via their personal digital devices.
6. **Ongoing Feedback and Continuous Improvement:** Maintain a continuous feedback loop to capture changes in practices or suggestions from workers, allowing the modules to evolve alongside real-world operational changes.
7. **Wider Sector Trial:** Offer the completed modules as part of the toolkit trial through the Employers and Manufacturers Association (EMA).

### Expected Outcomes

This initiative is expected to significantly improve health and safety understanding and practices at RCF Trading Ltd by making key procedures easier to access, understand, and apply. Through the use of culturally tailored microlearning modules, workers will be better equipped to engage with safety information in a way that suits their language needs, literacy levels, and preferred learning styles. As a result, workers are likely to feel more confident and involved in health and safety processes, leading to stronger knowledge retention, safer behaviours, and a reduction in workplace incidents particularly in high-risk tasks such as machinery use and cleaning.

By embedding feedback features and reinforcing learning through everyday use, the modules will also enable continuous improvement of RCF's systems and better alignment with how work is actually carried out. Importantly, the insights and tested materials from this initiative

will provide a scalable model for broader uptake across the sector, supporting other small Chinese-owned food retail businesses to build safer, more inclusive workplaces.

#### **Estimated Costs**

Knowby Licence for RCF - \$10 a month (\$240 over 2 years)

Knowby for Sector trial - \$100 for public views of Knowby Modules by the sector (1 view = 1 cent)

First Step Solutions to create Microlearning Knowby Modules \$5000 + GST

**Total - \$5340 + GST**

### **3.4 Activities to be undertaken to promote the objectives of the health and safety legislation that will deliver benefits for the wider Industry or sector**

**RCF Proposes one initiative to meet the requirements of 3.4 which is:**

- 3.4.1 – Sector-Wide Pilot, Toolkit Distribution, and Facilitated Support for Small Chinese-Owned Businesses
- 3.4.2 - Creating a written case study outlining lessons learned as part of this Enforceable Undertaking that will be submitted to Safeguard Magazine for consideration.

#### **3.4.1 – Sector-Wide Pilot, Toolkit Distribution, and Facilitated Support for Small Chinese-Owned Businesses**

##### **Background**

RCF Trading Ltd is representative of a wider network of small, predominantly family-run, Chinese-owned businesses operating across New Zealand's food retail, processing, and hospitality sectors. These businesses often rely on informal systems shaped by cultural norms and verbal instruction, with limited access to tailored health and safety guidance. Language barriers, low literacy levels, and unfamiliarity with New Zealand's regulatory environment further compound the challenge of meeting obligations under the Health and Safety at Work Act 2015 (HSWA).

The pilot undertaken at RCF (Initiative 3.3.1) will result in a practical, culturally responsive Good Work Toolkit, co-designed with workers and tailored for small Chinese-owned food businesses. This initiative extends that work by enabling wider access and uptake across the sector through strategic distribution and digital learning support.

##### **Purpose**

The purpose of this initiative is to improve health and safety outcomes across the broader Chinese business community by scaling the use of the co-designed Good Work Toolkit and Knowby microlearning modules. Delivered in partnership with the Employers and

Manufacturers Association (EMA), this initiative aims to build sector capability by equipping business owners with practical, culturally appropriate tools supported by translated resources, hands-on learning sessions, and peer-driven engagement.

### Scope

This initiative will focus on the wider rollout and adoption of the Good Work Toolkit and digital learning resources. Specifically, it will:

- Finalise the culturally tailored Good Work Toolkit, incorporating feedback and learnings from RCF.
- Translate the toolkit into simplified Chinese, and plain English, ensuring accessibility across the sector.
- Distribute the toolkit, in electronic form to small business owners through the EMA and targeted Chinese business networks.
- Deliver a webinar/learning session, translated in Mandarin, to introduce the toolkit and Knowby modules.

### Delivery

#### 1. Toolkit Finalisation and Translation

- Refine the toolkit based on RCF pilot outcomes and staff feedback.
- Translate content into simplified Chinese alongside plain English, using culturally relevant examples and visual aids.
- Produce both electronic and optional printable formats for broad access.

#### 2. Strategic Distribution via EMA

- Collaborate with the EMA to distribute the toolkit across its Chinese small business network via email, newsletters, social media, and a webinar.
- Leverage EMA channels with strong reach into food manufacturing, retail, and Chinese business groups.

#### 3. Facilitated Support Sessions

- Deliver a webinar/ learning session (online).
- The session will cover:
  - Introduction to HSWA and PCBU duties.
  - Step-by-step walkthrough of the toolkit.
  - Demonstration of the Knowby Microlearning modules.
  - Peer learning and practical implementation planning.
- All attendees will receive access to the toolkit materials, Knowby's and translated content.

### Expected Outcomes

This initiative will enable more small Chinese-owned businesses to engage with health and safety in a way that feels practical, respectful, and relevant to their cultural context. Business owners will gain greater awareness of their legal duties and increased confidence in implementing compliant systems using tools they understand. The facilitated learning session (webinar) and peer examples from RCF will foster stronger engagement across the sector, while digital microlearning tools will support sustainable, worker-led safety practices. Over time, this approach will help develop community champions who can lead by example, encouraging wider adoption and long-term improvements in workplace health and safety.

### Estimated Cost

EMA distribution and communications support: \$1000 + GST

Delivery of webinar/learning session (venue, facilitator, interpreter): \$3000 + GST

**Total - \$4000 + GST**

### **3.4.2 - Creating a written case study outlining lessons learned as part of this Enforceable Undertaking that will be submitted to Safeguard Magazine for consideration**

First Step Solutions will develop a written case study capturing the key lessons learned through the Enforceable Undertaking, including reflections on the incident, contributing factors, corrective actions, and improvements made. This case study will be submitted to Safeguard Magazine for consideration to support wider industry learning and the promotion of safer work practices.

**Cost:** \$2,000 + GST

### **3.5 Activities to be undertaken to promote the objectives of the health and safety legislation that will deliver benefits for community**

**RCF Proposes one initiative to meet the requirements of 3.5 which is:**

- 3.5.1 – Donation to the New Zealand Qionghai Association

#### **3.5.2 – Donation to the New Zealand Qionghai Association**

The New Zealand Qionghai Association is an Auckland-based community organisation representing people originating from Qionghai, a city in Hainan province, China. Operating under the Federation of Chinese Associations of New Zealand (FCANZ), the Association provides cultural events, networking opportunities, and community support services, helping to bridge connections between the Chinese community and the wider New Zealand community.

The victim in this matter is a respected member of the Qionghai community and, following the incident, the New Zealand Qionghai Association has provided ongoing support to them and their family. This has included emotional support, connection to local networks, and maintaining close contact to assist their wellbeing during recovery.

In recognition of the valuable role the Association has played in supporting the victim, RCF Trading Ltd made a financial donation on 10 November 2024 of \$2000 to the New Zealand Qionghai Association to assist them in continuing their important work within the community. This contribution demonstrates RCF's commitment to supporting those who have supported the victim through this difficult time.