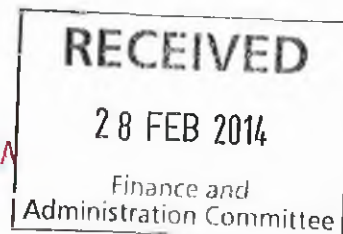




UNITED FIREFIGHTERS UNION OF AUSTRALIA
UNION OF EMPLOYEES QUEENSLAND



Friday 28 February 2014

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The Research Director
Finance and Administration Committee
Parliament House
George Street
Brisbane Qld 4000

Dear Research Director

Re: Work Health and Safety and Other Legislation Amendment Bill 2014

I attach a submission to the above Bill on behalf of the United Firefighters' Union of Australia, Union of Employees, Queensland (the UFUQ).

I request that the UFUQ are provided the opportunity to appear at the public hearing, currently scheduled for Wednesday 5 March 2014.

Please do not hesitate to contact Mr Anthony Cooke, industrial officer, on 07 3844 0366 or at [REDACTED] to arrange for appearance at the public hearing, or should you require any further information.

Regards

John Oliver
State Secretary

STRENGTH PRIDE COURAGE

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1.

Stakeholder submission.

This document is a stakeholder submission to the Queensland Parliament Finance and Administration Committee (the Committee) regarding the *Work Health and Safety and Other Legislation Amendment Bill 2014* (the Bill) by the United Firefighters' Union of Australia, Union of Employees, Queensland (the UFUQ).

2.

Request to publish this submission.

UFUQ requests permission from the Committee to publish this submission.

In particular, we seek to publish the submission for the information of our members, other firefighter unions in Australia and elsewhere, and other unions.

We consent to our submission being made public by the Committee.

3.

Request to attend public hearing.

UFUQ request attendance at the public hearing of the Committee into the Bill, currently scheduled for Wednesday 5 March 2014.

We intend to present verbal submissions to the Committee at the public hearing.

4.

United Firefighters' Union of Australia, Union of Employees, Queensland.

The UFUQ is an industrial organisation of employees registered under the *Industrial Relations Act 1999* (the IR Act), providing representation and coverage to urban firefighters (both permanent and auxiliary firefighters employed by Queensland Fire and Emergency Services (QFES)) and also to scientific officers and communication officers.

Due to the services provided by firefighters, scientific and communication officers during emergency and other situations across Queensland, Australia, and overseas as required, UFUQ members are frequently exposed to high risk occupational health and safety situations.

UFUQ members, due to their roles in preventing, suppressing, and assisting in recovery from emergency situations, are among the most highly regarded people in their communities.

UFUQ currently has over 2500 members, including over 95% of permanently employed urban firefighters, scientific and communication officers, and a significant number of auxiliary firefighters.

UFUQ is bound by Awards of the Queensland Industrial Relations Commission (the QIRC) and is also party to a number of Certified Agreements made and registered under the IR Act. UFUQ has a proud history of representing our members

5.

Changes to the Work Health and Safety Act 2011 (Queensland).

UFUQ members are called into emergency situations in all variety of workplaces in Queensland on a daily basis.

Members responding to workplace emergencies often face unknown situations, with unknown hazards and therefore the ability to assess risk to health and safety is not possible until the workplace has been entered (and often not until exposure has occurred).

WHSR's have a crucial role in identifying hazards and assessing their risks and then implementing controls, which may require immediate implementation.

Reduction in the ability of a WHSR to identify a hazard through removal of their access to external assistance for 24 hours will create a potential for exposure for our members to health and safety hazards that otherwise may have been avoided.

If a WHSR –

1. cannot assess a risk accurately and effectively, due to not being able to quickly call upon external expert opinion and assistance, and therefore
 2. determine the most effective risk controls, and then
 3. implement those controls, which may include causing workers to cease work due to their exposure to the risk, and therefore
 4. have a hazardous situation turn into an emergency situation, and therefore
 5. require the assistance of emergency services, and therefore
 6. have UFUQ members enter the emergency situation without the hazards adequately assessed,
- then UFUQ members are going to be exposed to potential for increase in injury and illness to themselves.

One of the cornerstones of the self-regulatory style of legislation adopted in Australia governing OH&S is the ability of WHSR's to identify, assess and control hazards.

These changes diminish WHSR's ability to do this, and yet the amendments to the legislation offer no increase in prescription for identified hazards.

The changes proposed by the Bill as it stands worsen OH&S for workers in Queensland and specifically increase risk of injury and illness to UFUQ members.

UFUQ members enter workplaces such as construction sites, chemical manufacturing plants and other heavy industry on a daily basis.

When in a fire, rescue or emergency situation, these workplaces include a range of hazards (eg chemical, explosive, burns, slips, trips and falls and many other unidentified hazards).

These hazards are managed when the workplaces have effective WHSR's.

The Bill will reduce safety in these environments, creating higher risk to our members entering them during emergency situations.

Further, the Bill will not meet the objective of the Hon. Jarrod Bleijie, Queensland Attorney General and Minister for Justice, as stated on 13 February 2014 *"As a government we are committed to having the safest workplaces in Australia"*.

The changes proposed in the Bill will have the effect of making Queensland workplaces less safe, due to watering down of the risk management process, the basis for the effective application of the Work Health and Safety Act 2011.

6.

Alternatives to passing the Bill in its current form.

1. Amend the Bill to minimise the risk of injury or illness to UFUQ members by -
 - retaining the right of a WHSR to cause workers to cease work, and
 - retaining the right of a WHSR to call in external assistance urgently (not waiting 24hrs).
2. Delay the making of recommendations by the Committee to Queensland parliament until the Select Council on Workplace Relations has considered the Bill.
3. Call for greater public consultation on the proposed changes over a longer period of time, allowing for considered submissions on the proposed changes, rather than just a review of the entire legislation.

7.

Further information to be provided by UFUQ at the Public Hearing.

As per the request at item 3 above, UFUQ intend to appear at a public hearing and will take the opportunity to ventilate our concerns regarding increase in potential for injury and/or illness to our members if the Bill were to be passed as it stands.