

Registered office

346 Turbot Street
SPRING HILL QLD 4000

www.qieu.asn.au

Email: enquiries@qieu.asn.au

All correspondence to

PO Box 418
FORTITUDE VALLEY QLD 4006

Telephone (07) 3839 7020

Facsimile (07) 3839 7021

Freecall 1800 177 937 QLD

Freecall 1800 351 996 NT

Our ref: Educ 15 065as

Monday, 22nd June 2015

The Hon Di Farmer, MP
Chair
Finance and Administration Committee
Parliament House
George Street
Brisbane Qld 4000

Email: fac@parliament.qld.gov.au

Dear Ms Farmer,

Re: Inquiry into Work Health and Safety and Other Legislation Amendment Bill 2015

I write in relation to your letter, dated 17th June 2015, requesting answers in response to three questions not addressed during the Parliamentary Hearing of Monday, 15th June 2015.

Answers to each of these are provided below.

Additional Question 1: The Department of Justice and Attorney-General advised the Committee at the departmental briefing that whilst formal consultation was not undertaken, they spoke to key stakeholders. Could you please advise whether your organisation was consulted as part of this process?

Our union was not consulted as part of this process.

Additional Question 2: Could you please provide real examples and case studies where immediate right of entry provisions have prevented illness or injury?

Occasions where health and safety representatives have invoked stop work orders in the non-government education sector are rare. This can be largely attributed to the fact that schools routinely operate as high duty of care environments. As a consequence, most rely on trained health and safety representatives to negotiate health and safety issues with administration. This system is remarkably effective.

There are however, a number of examples where union officers' access to worksites has prevented serious injury or illness.

One example from our files involves a laboratory technician in a secondary school, who made repeated requests to administration to have a malfunctioning chemical fume cupboard (an essential piece of safety equipment located in the Science department) repaired. Administration repeatedly refused this request, on grounds that the repairs were prohibitively expensive. Only when union officials became involved, and pointed out the school's legal obligation to comply with WHS legislation, did the Principal consent to allocation of funds for the repair.

A second case study relates to a school Principal who authorised a building extension that used copper chromium arsenate (CCA) treated timber, which was left exposed and unvarnished. CCA-treated timber is a restricted chemical product that is not permitted for use in children's play equipment. Although the school had no elected WHS representative, union members contacted their local organiser when they became concerned about children playing around the building and being exposed to chips and splinters from the CCA-treated wood. When the union organiser contacted the Principal and explained the members' concerns, the Principal agreed to have the untreated wood varnished. In this case, the employer was simply unaware of the risk, until it was pointed out by health and safety representatives, supported by union officers.

Additional Question 3: With regard to the proposed amendments for the definition of serious injury or illness, some submitters have raised the issue that this could add to the reporting burden for employers and that it may have the unintended consequence of some employers encouraging employees to return to work early to avoid the additional reporting burden. How would you response to this?

Workload intensification is a significant professional issues for our members and it is our position that any addition to administrative workloads should always be accompanied by realistic time allocations, within normal hours of duty.

We also note that the seriousness of an injury is not something that can always be quantified by the period of absence, particularly in the education sector, where psychological injuries account for a significant percentage of workplace injuries.

In light of technological advances that can make the reporting very simple, we suggest that a more effective, less burdensome, approach might be to invest in systems that support automatic, electronic lodgement of incident reports and/or compensation claims.

This will allow the gathering of important data to show injury trends by industry or employer, and will assist in developing preventative measures.

Thank you for the opportunity to provide further information to the Committee as it considers the Work Health and Safety and Other Legislation Amendment Bill.

If you have further questions, or require additional information, please contact myself, or our Research Officer, [REDACTED]

Yours sincerely,

[REDACTED]
TERRY BURKE
SECRETARY