

UNITED VOICE QLD

ABN: 69 844 574 256

Ref: DP;dr
4 June 2015

Gary Bullock Branch Secretary

Carol Corless Branch President

www.unitedvoice.org.au
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Ms Deborah Jeffrey
The Research Director
Finance and Administration Committee
Parliament House
George and Alice Streets
BRISBANE QLD 4000

By email: fac@parliament.qld.gov.au

Dear Ms Jeffrey,

Re: United Voice Queensland Branch submission to the Inquiry into the *Work Health and Safety and Other Legislation Amendment Bill 2015*

United Voice, Industrial Union of Employees, Queensland (United Voice) makes this submission to the Finance and Administration Committee (the Committee) in response to the letter dated 11 May 2015 inviting submissions on the *Work Health and Safety and Other Legislation Amendment Bill 2015* (the Bill).

United Voice represents almost 30,000 workers in Queensland across a broad range of public and private sector employers who are engaged in a diverse range of industries and occupations, and who remain under the State industrial relations jurisdiction. In the public sector, we represent thousands of school cleaners, teacher aides, ambulance officers, health professionals and operational staff.

In the private sector, United Voice represents thousands of workers in industries and occupations including childcare, contracting industries including but not limited to cleaning, security and hospitality, private prisons and detention centres and aged care. In the manufacturing industries, United Voice represents thousands of workers who are exposed daily to high risk workplaces and whom along with their families would support the passage of this Bill to restore workplace health and safety (WHS) protections removed by the previous government.

United Voice welcomes and supports the Bill as a vital step towards restoring these important WHS protections. We support the *Improving safety for Queenslanders at work* policy and note that the proposed amendments serve to better align the relevant provisions with the objects of the Act.

Proposed clause 23 and consequential amendments

The Government is to be congratulated for removing the requirement for a WHS entry permit holder to give 24 hours' notice of proposed entry to a workplace for the purpose of investigating a suspected contravention of the Act.

The reality of workplaces is that there exist many potential risks of injury, or indeed threats to life. Such risks must be dealt with immediately to protect workers, customers, clients and others nearby. This is particularly so in many high-risk workplaces where United Voice has coverage, such as private correctional facilities, manufacturing sites and the contracting industries. In workplaces such as these, WHS entry permit holders are able to play a constructive and proactive role in ensuring safety. A key example of this is in the private prison sector which is facing increased WHS risks from overcrowding and understaffing. Entry permit holders have an important consultative role to play in these workplaces to ensure the highest possible levels of safety, not only for workers, but for other stakeholders as well.

The proposed amendment also serves to realign the Queensland Act with the model WHS laws, which were subject to extensive consultation prior to their adoption.

We finally note that the amendments to these provisions by the previous Government appeared to be based on ideological opposition to Unions, without appropriate recognition of the important role played by Unions in ensuring the highest possible standards of WHS.

Proposed clause 21 and consequential amendments

We again congratulate the Government for restoring the ability for appropriately trained and appointed health and safety representatives (HSRs) to direct a worker to cease unsafe work where there is an immediate or imminent exposure to a hazard. We reiterate that the removal of this provision by the previous Government appeared to be ideologically motivated, rather than based on any evidence of misuse.

The proposed amendment also serves to realign the Act with the model WHS laws.

The role of HSRs in the workplace, who undertake extensive training on their rights and responsibilities under the Act and risk identification, is an important one. In practice, it is has been United Voice's experience that HSRs utilise this knowledge to provide guidance, and on occasion direction to their work group in a manner which workers themselves would not do so comfortably.

This is particularly so in the manufacturing sector, where HSRs are able to confidently and competently identify potential risks and hazards and adopt a consultative approach towards rectification, in the knowledge that there remains the ability to cease work should no safe alternative be found.

Proposed clauses 24 and 25

United Voice welcomes the reduction or removal of the punitive provisions which were implemented to act as a disincentive to WHS entry permit holders from entering a workplace to inquire as to suspected contraventions without giving appropriate notice.

As noted previously in relation to proposed clause 23, the role of entry permit holders is a crucial one in ensuring the highest level of compliance with WHS obligations and is consistent with community expectations of WHS compliance.

Conclusion

United Voice urges the Finance and Administration Committee to support policy objectives and the changes contained within the Bill which form part of the Improving safety for Queenslanders at work policy statement. United Voice urges the committee to recommend passage of this bill without delay to ensure that the rights of workers are restored.

United Voice thanks the Finance and Administration Committee for providing this opportunity to comment on the *Work Health and Safety and Other Legislation Amendment Bill 2015* and seeks the opportunity to advance our views on the amendments in relation to this matter at the hearing set down for Monday 15 June 2015.

Please contact [REDACTED] ([REDACTED]) should you want to discuss any aspect of this submission further. All correspondence should be addressed to [REDACTED].

Yours Sincerely,



Gary Bullock

Branch Secretary

United Voice, Industrial Union of Employees, Queensland