

# STRONGER TOGETHER

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9 June 2015

Ms Di Farmer MP  
Chair  
Finance and Administration Committee  
Parliament House  
George Street  
Brisbane Q 4000

By email: [fac@parliament.qld.gov.au](mailto:fac@parliament.qld.gov.au)

Dear Ms Farmer

I refer to the Inquiry into *Work Health and Safety and Other Legislation Amendment Bill 2015* (the Bill).

The Australian Workers' Union (AWU) represents workers from a large number of industries and has an interest in ensuring high-level safety standards in workplaces. The AWU covers workers in industries such as civil construction retail, sugar, water, manufacturing, healthcare, aged care, community services, gas and hydrocarbons, aluminium, steel and mining.

The AWU presses the following comments with regard to the proposed Bill:

### **Right of Entry for Permit Holders**

It is submitted by the AWU that restoring the ability of a trained permit holder to immediately enter a workplace and assist workers who are potentially exposed to an immediate risk will decrease the likelihood of injury and/or disease and it will reduce the risk of thousands of workers who work across thousands of workplaces because they can immediately call upon the support of their union.

Further, removing a 24 hour space between a trained entry permit holder being able to access a site where there is a suspected safety contravention logically reduces the risk to workers on that site.

It is submitted by the AWU that the right of employees to ensure suspected safety contraventions are immediately dealt with in the workplace far outweighs the ability of employers to be unaccountable and relax their safety standards.

Employers with proper safety systems in place should have no concerns with the proposed amendments.

### **Power of HSRs to direct unsafe work to cease**

The AWU submits the proposal to restore the power of health and safety representatives (HSRs) to direct workers to cease unsafe work will seriously the protection of thousands of workers.

The proposed amendments will restore the last line of defence that a worker has in their workplace to prevent injury or disease. HSRs are trained and committed workers who look out for their fellow workers during the course of their duties. The power given to a HSR to direct workers to cease work only allows such direction to occur when there is an immediate or imminent risk and also requires consultation with management. It also provides for workers to undertake alternative duties until the risk is mitigated. This power is not unreasonable.

**Secretary: Ben Swan**

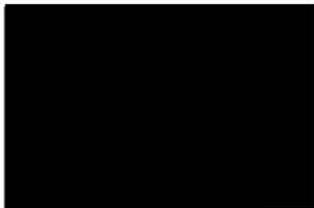
The logical outcome of the current LNP provisions of the Act is that workers who may not be aware the work they are undertaking is unsafe must continue performing unsafe work notwithstanding a trained HSR knows that it is unsafe. This does not make sense.

Restoring the powers exercised by HSRs and entry permit holders ensure that where a duty holder is not exercising due diligence or they seek to coerce a worker to undertake unsafe work that worker is protected.

The AWU commends the Bill to the Committee.

If you require any further information in relation to this submission please contact 

Yours faithfully



**BEN SWAN**  
**SECRETARY**

Secretary: Ben Swan