

Committee Secretary
State Development, Natural Resources and Agricultural Industry Development Committee
Parliament House
George Street
Brisbane Qld 4000

Submission in relation to the Mineral and Energy Resources and Other Legislation Amendment Bill 2020

Part 2 Amendment of Coal Mining Safety and Health Act 1999

Division 2 Amendments relating to statutory office holders

I am writing to object to the proposed amendments relating to statutory office holders.

The proposed legislation changes, if implemented, will:

- not improve reporting of dangerous conditions and safety issues;
- worsen safety outcomes for all coal mine workers;
- adversely affect the livelihood of statutory office holders;
- put at risk the stable and safe operation of mines; and
- jeopardise the income and employment of many coal mine workers.

Statutory office holders who effectively seek out and report dangerous conditions and safety issues are in high demand and sought after by employers, and are secure in their employment. This is contrary to the assertion in the Explanatory Notes that the proposed legislation is necessary to ensure that statutory office holders can make safety complaints, raise safety issues or give help to an official in relation to a safety issue without fear of reprisal or impact on their employment.

Statutory office holders who find, report and actively manage dangerous conditions and safety issues keep the risk to coal mine workers at an acceptable level, and, by keeping coal mine workers safe, also keep the site senior executive (SSE), other senior position holders and the coal mine operator (CMO) safe. The argument that good people doing their job well need protection as an employee, particularly when doing their job well is in the best interest of both coal mine workers and the CMO, is false and totally lacks credibility.

Many experienced and competent statutory office holders choose to work as freelance service providers, and many provide services to a number of different operations and CMOs. In doing so, these statutory office holders gain broad industry experience that can be applied to each operation they serve. Requiring statutory office holders to be the employee of the CMO will diminish their experience and knowledge, and reduce safety outcomes.

Further to the above, many statutory office holders choose to work as freelance service providers as this arrangement best serves their personal needs and circumstances. Requiring statutory office holders to be the employee of the CMO would adversely affect the livelihood of some, would cause the collapse of businesses that provide statutory office holder coverage, and will cause some to

leave the industry, taking their knowledge and experience with them. This will reduce the pool of talent available to fill statutory positions, and reduce safety outcomes.

Freelance statutory office holders, and businesses that provide statutory office holder coverage, fill the vital roles of providing both full time coverage of statutory positions, and statutory coverage during periods of absence by the person normally filling the role. Unplanned absences of personnel, including statutory office holders, is an everyday event. The existing legislation allows for these absences to be filled by any qualified and competent person. Taking this facility away from the CMO and SSE will lead to mines shutting down for the duration of the absence and coal mine workers being stood down. In some circumstances the shutdown could lead to significant negative flow on effects, such as flooding of a mine, which would jeopardise the safety and stability of the mine, and the ongoing livelihood of the coal mine workers affected.

At arms-length, the proposal to compel statutory office holders to be employees appears to be ill conceived as it is likely to: reduce the pool of competent, capable people prepared to fulfil statutory positions; reduce safety outcomes; and jeopardise the livelihood of many within the Queensland coal mining industry.

Dan Cawte

[REDACTED]

[REDACTED]