

To: Committee Secretary
Stata Development, natural Resources and Agricultural
Industry Development Committee
Parliament House
George Street
Brisbane Qld 4000

From 4BU Mining Pty Ltd
Mr David Brosnan

██████████
██████████

To whom it may concern

I am writing this submission as an owner of a small company and as an individual Queenslanders that will be hugely impacted by the proposed changes in the Mineral and Energy Resources and Other Legislation Amendment Bill 2020. I have been a Statutory Official in Queensland Coal Mining industry since 2007 and am currently employed as a contract Statutory Official.

I strongly disagree with: "The Bill amends the Coal Mining Safety and Health Act 1999 to clarify that only persons who are employees of a coal mine operator may be appointed as certain statutory office holders." You may have spoken to some coal mine workers regarding their safety and you have taken on board their comments regarding they believe they have to be employed by the Coal mine operator to have a say. I have been a Statutory Official since 2007 and have had the privilege of working in 8 different underground coal mines in the Bowen Basin.

I have seen the good and the bad, worked with a large cross section of the work force (Full time employees and contractors) so I feel as if I have seen enough to make a good judgment on safety and who provides a safer work place, full time employees or contractor Statutory Officials. The answer is both provide a safe place to work.

As a statutory Official It doesn't make any difference to whom you are employed by. Statutory Officials who are lazy, don't speak up when required, and who don't lead from the front with safety matters are a concern for the industry. If a Statutory Official is worried about offending or upsetting someone with the call they have made on a safety matter, then as a government you should be assisting the coal industry by removing these people out of the coal industry not bashing contractors that have worked extremely hard to build a good solid reputation and career in coal mining. I pride myself on delivering a safe place for coal mine workers to work in, and have an open book so as they can all come and talk openly, feel free to voice their opinion regarding safety and anything else that they need to talk about.

When you set out to improve you self by studying to become an Statutory Official eg; ERZC, Undermanager, Manager or SSE, you work through the modules that you are required to do then when these are completed you sit an oral exam with 2 or 3 qualified people that will pass you if you have ticked all the boxes. Through all the study that is carried out there is nothing in any of these qualification that teaches you on how to manage or deal with people. I believe there is still a very strong culture among coal mine workers that they have no responsibility of their own safety or the safety of others and that there safety is 100% the responsibility of the ERZC and management.

It clearly out lines in the Coal Mining Safety and Health Act 1999

Part 3 Safety and health obligations

Page 34 Current as at 10 November 2019

Authorised by the Parliamentary Counsel

Division 2 Generally applicable safety and health obligations of persons

39 Obligations of persons generally (1) A coal mine worker or other person at a coal mine or a person who may affect the safety and health of others at a coal mine or as a result of coal mining operations has the following obligations.

I strongly believe this is where the government need to focus on is training so as people understand what they have signed up for and training in people management for Officials. Have you ever had a 40 year old man crying on you shoulder at 2am in the morning because his wife has left him I have, yet my job is still to make sure this person is looked after and focused.

As a contractor you can have the opportunity to move around more. In doing so, you can gain a better education of mining. You get to experience all the different Safety and Health Management Systems of the mines, and the different ways they manage the day to day management of hazards in the mines and how the hazards are controlled.

I strongly disagree with the proposed amendment as I believe this will not achieve the policy objective, in fact, I believe it will have a negative impact on the industry and its people. In my opinion the removal of the ability for statutory positions to be held by people that are not employed by the Coal Mine Operator will introduce another level of complacency. Having a competitive environment encourages people to work harder at their profession and be better professionals. As a contractor you are judged on your performance all the time. This enable me to remain fresh and continually learning new things.

Working as a contractor works for myself and my family. I chose to work as a contractor, as living in Australia I as an individual have that choice

- The choice to have my say
- The choice of Fair trade
- The choice to do what best for my family
- To Vote

We do not live in a dictatorship and I think that you have been very dishonest in the way you introduced this bill to parliament. You have not come out and engaged all parties from both sides and taken back information from both sides, you have not came out in the media to let all Queenslanders know that you are again kicking the coal industry in the guts by trying to close down hundreds of small business.

Questions

- How do you guarantee older people are going to be employed?
- How do you reimburse people that have been divorced and lost everything due to the government declaring that they had the ability to earn X amount now that you have removed that ability to earn?
- What compensation are you going to pay these businesses that you have closed down?
- The government has been pushing for all small business to spend money and we have, now that you want to close down our business how do we afford to pay these things off and how is the government going to fund this?

I become an ERZC to make a difference and I believe that I have done this through many years of hard work, all ways putting my hand up to be part of safety and new things in the industry. This has made no difference whether I was a contractor or employee of the company.

If you want to make a difference you will, if you want to sit back and wait for someone else to do it you will, this will make no difference whether you are a contractor or employee of the company.

After I reviewed the Amendment bill and the three stated priorities;

1) Improving safety culture in the resources sector through introducing industrial manslaughter provisions and requiring that persons appointed to critical safety statutory roles for coalmining operations must be an employee of the coalmine operator.

2) Legislative changes that support ongoing reforms to the mine rehabilitation and financial assurance laws.

3) Amendments to improve the regulatory efficiency of the resources sector.

I became very worried that you are after someone to jail at any cost to that persons and there family so you can say that you have jailed someone. As I read this my understanding is that they in your eyes they are guilty unless they can prove the innocents. Coal mine workers are treated worse than a person that has committed murder as a person that has committed murder can reduce his sentence by claiming he did not mean to do it. Yet for us working in the coal mines you just want to through someone in jail even if they have not been directly involved. I believe you need to have a closer look at this before this goes through and at least give us the same safety legislation as everybody else in Queensland.

I am all for holding people accountable but make sure it is the right person.

I have had firsthand experience of the government shutting down small business like this when they deregulated the milk industry. A person very close to myself was nearly 60 years old when the government took away his lively hood and paying him next to nothing for this. At 60 years of age he found it very had to find work and became very depressed and struggled to make end meet. Is this what the government is looking again pushing Queenslanders out of jobs.

I am very worried that you have made a bad call on the wrong information that you have been given that is going to put a lot of people out of work, send then broke as they are set up to run a business all for the sake of votes.

Yours Sincerely,

David Brosnan
Director 4BU Mining Pty Ltd

[REDACTED]
[REDACTED]
[REDACTED]