



Speech by

**JOHN ENGLISH**

**MEMBER FOR REDLANDS**

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### **FISHERMAN ISLANDS CONTAINER TERMINAL**

**Mr ENGLISH** (Redlands—ALP) (12.25 p.m.): I rise to alert the House to ongoing intimidation at the Fisherman Islands Container Terminal by the employer P & O Ports. In March this year, P & O Ports issued a safety alert which brought to the attention of its workers problems that had been experienced with cranes and loads. Included in the safety alert was the fact that two fatalities have occurred in the last 12 months whereby 30-tonne containers have fallen on people and crushed them. P & O's response to this was the preventive action—

You must never allow yourself to be in a position where you could be struck by a suspended or swinging load.

So basically, it is the workers' fault if they get hit.

A very, very competent worker on that work site became aware of this and took it up with management. It should be noted that, when lowering 30-tonne containers onto trucks, drivers are required to sit in the cab. The distance between where the load is placed and the cab of the truck is about a metre. So if a 30-tonne container falls from 60 feet, a one-metre error of judgment is quite likely to result in that driver being killed. Greg Cook, the worker concerned, went to management with two proposals—

Why don't we allow the driver to leave the cab while the container is being lowered? Or how about we drop the load to about 10 feet and then allow the driver to back up so there is a smaller margin of error?

Greg Cook was told by P & O Ports to pull his head in and observe standard operating procedures. So Greg, being an enthusiastic worker, had a look at the SOPs under which P & O's employees are required to work. One part of P & O's own SOPs states—

Align the ITV—

which is the truck—

... with crane marks and activate green flashing overhead light.

So Greg had a look at the ITVs that were working on the dock that morning, and he noticed that the majority of the vehicles either were not fitted with a green flashing light or that the green flashing light that was fitted was not operating.

Greg brought these SOPs to the attention of the drivers, and the drivers did what they are required to do by law, that is, ensure a safe operating environment. They pulled the trucks off the wharf down to the workshop and said, 'Please fit these green lights, or get them working, so we can comply with the SOPs.' If the workers do not do that, they are negligent. It is important to note that the instructions of P & O Ports could not be complied with due to the company's own negligence and its own poor maintenance program.

Mr Cook then acted in compliance with his requirements under both the Workplace Health and Safety Act and P & O Ports' own operating procedures, whereby workers are required to take corrective action to eliminate hazards within the workplace. He did that by bringing it to the drivers' attention. But was Greg rewarded for being a conscientious worker and bringing an urgent safety issue to the attention of the workers concerned? No. He was carpeted by management.

**Mr Purcell:** Shame!

**Mr ENGLISH:** It is a big shame. Why was he carpeted for undertaking a duty that he is legally required to do under section 36 of the Workplace Health and Safety Act? Because P & O Ports is lazy, incompetent, and it does not care about workers.

Having carpentered Greg Cook for his enthusiasm and his diligence towards workplace health and safety and towards the safety of his fellow workers, P & O Ports then issued Greg with a final warning order. If a worker transgresses in the workplace, he is entitled to one final warning before he is out of a job. However, P & O issued Greg Cook a final warning order for taking action that he is legally bound to take—for action that he is obligated to take. That is disgusting!

Greg has spoken to me about this issue, as have members of the MUA. What is P & O Ports response to this? They have issued a direction to all workers that, under fear of risking their job, they do not talk to anyone outside the company—they do not talk to the media, they do not talk to anyone outside the company.

I have a message for Duncan Sadler, the Manager, Port Services Queensland: workers in Queensland will not be silenced. All residents of Queensland have the right to talk to workplace health and safety officers and to their members of parliament. I will continue to vigorously represent my constituents. I will not be intimidated by P & O Ports. Neither should the workers.

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