




Speech By
Christopher Whiting

MEMBER FOR MURRUMBA

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RAIL SAFETY NATIONAL LAW (QUEENSLAND) BILL

 **Mr WHITING** (Murrumbamba—ALP) (5.23 pm): I rise to speak in support of the Rail Safety National Law (Queensland) Bill 2016. I would like to characterise this legislation as part of the great project to build consistent laws and regulations across Australia. In a lot of ways, that project has been going on since Federation. In the case of this bill, we will apply the Rail Safety National Law as a law of Queensland. Across Australia we will see greater national consistency in rail safety regulation. In Queensland, the National Rail Safety Regulator becomes the rail safety regulator. This and other changes we have heard about already are small but they are necessary and substantive. Our rail system is already strong, and so are the safety processes surrounding it. That is built on 150 years of rail development in Queensland. I note that the total number of rail kilometres travelled has increased over the past five years but the total number of serious rail incidents on operations has decreased in that time. We have a good record in safety, but these changes are welcome.

As we have already heard, under this bill a person who loads or unloads freight on rolling stock will have an obligation to ensure it happens safely. Under this bill, there will be improvements to the drug and alcohol testing regime. Drug and alcohol testing is already an important part of the culture and operations in Queensland. In 2014-15 rail transport operators conducted over 21,000 drug tests and 170,000 alcohol tests. I am informed that Queensland Rail undertakes the equivalent of testing 10 to 13 per cent of their workforce every month.

I believe that adopting the rail safety bill will also help us address the fatigue management issue. I know that the Rail Tram & Bus Union is very concerned about this. This is one of the most important issues for rail workers and rail passengers, who will be protected by this bill. We have already done a lot of hard work in Queensland to help mitigate the dangers posed by worker fatigue. In July last year we amended the 2010 regulation to introduce work-hours and rest-hours provisions in Queensland. These provisions will now be included in the national regulations. These include maximum shift length of 12 hours for a two-driver operation or nine hours for a one-driver operation; a break of eight to 12 continuous hours between each shift, depending on where the driver finishes their shift; and no more than 12 shifts in a 14-day period. I believe that these provisions are there for very good reason. A scientific study from Monash University obtained by the RTBU reveals a strong link between fatigue and injury. It points to a 30.4 per cent increased risk of occupational accidents during the night shift and an even bigger risk beyond the eighth or ninth hour of a shift. It reveals that forcing a worker to drive while fatigued is akin to forcing them to drive under the influence of alcohol. Being awake for 17 hours has a similar effect on performance as having a blood alcohol content of .05.

Addressing issues like fatigue is about the culture of workplace health and safety that we are building and have built within Queensland Rail workplaces and in Queensland generally. We in the Labor Party want to build a strong, healthy, inclusive safety culture that permeates every workplace, big or small, in the 9,500-kilometre Queensland rail system and, indeed, in all Queensland workplaces. I believe that the desire for a better workplace health and safety culture reflects the values that animate many of the Labor members in this parliament.

Firstly, we believe that everyone has the right to come home alive and safe at the end of every day. That is a basic expectation that has been at the heart of many Labor people who have come through this place. That expectation and desire to walk in your own front door each night is very real to many of us in this House as well. Many of us in this House perhaps have family stories of risks taken by workers that could have had disastrous consequences. There may be stories of family members who actually did not make it to the dinner table that night. For my mother that was a real fear. We have memories of my father working at a brake parts company in Mackay, with row upon row of brake parts on the shelves behind the counter generating dust. For my mother there was a very real fear of mesothelioma.

Secondly, we believe that safety in the workplace is everyone's responsibility. It is not just up to the union official who travels between sites riding everyone when a breach is detected. It is not just something for the boss to be responsible for implementing. It is something that every person in the workplace has a role in—knowing what needs to be done, keeping an eye out when risk appears and taking action to fix it. That is what we in Labor believe. These are our values. That is why we support reforms like this that build a safer and better workplace in Queensland Rail and in Queensland generally. I commend the bill to the House.