




Speech By  
**Julianne Gilbert**

**MEMBER FOR MACKAY**

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Record of Proceedings, 11 October 2017

**WORK HEALTH AND SAFETY AND OTHER LEGISLATION AMENDMENT BILL**

 **Mrs GILBERT** (Mackay—ALP) (5.40 pm): I rise to speak in support of the Work Health and Safety and Other Legislation Amendment Bill 2017. I would like to thank the committee, the minister and the department for their work on this bill. This is a very important bill for all Queensland workers. In the progressive and modern workplaces that we have in Queensland, every worker should have the confidence that when they begin their shift everything has been done to ensure that the duties they carry out will not put them in danger. The objectives of the review which was undertaken by the government in October 2016 were to ensure best practice and robust administration, effective deterrents to deal with noncompliance and the ability to respond to emerging issues in the workplace. There is no excuse for unsafe work practices in the workplace.

This bill introduces the offence of industrial manslaughter, which will hopefully see the end of tragic and avoidable deaths on worksites. Safe Work Australia's work related traumatic injury fatalities data collection provides statistics about deaths from injuries caused by work related activities. It includes fatalities that relate to injuries sustained in the course of a work activity and as a result of somebody else's work activity. In the 13 years from 2003 to 2015, 3,270 workers lost their lives in work related incidents in Australia. In 2015, 195 fatalities were recorded in Queensland. This is nothing to be proud of. The member for Kawana said that the number of fatalities in the workplace is going down, but this is still too high. One death is one too many.

When you look at those numbers, 3,207 families' lives have been traumatised due to workplace fatalities across Australia. Some of these deaths have taken place in my region. The whole community feels the shock when there is a workplace death in the community. These people are not just numbers and statistics; they are all people from our communities. They are mums and dads, kids, friends, partners, husbands and wives. It was only in early August this year that the Mackay community was rocked by the workplace fatality of young Daniel Springer. He was only 31 years old, the father of a little baby and a husband. Daniel should be with his family and baby today but, despite all the noise about the CFMEU and worksites, Daniel lost his life on a mine site.

The new offence of industrial manslaughter includes provisions relating to senior officers and employers where negligent conduct causes the death of a worker. The maximum custodial penalty of 20 years for an individual and \$10 million for a corporation will support workplace safety. The member for Mermaid Beach said that this bill will not stop workplace deaths, but if those responsible are made to pay for their negligence in the workplace that might send a message to those who are irresponsible regarding their responsibilities to workers.

At different times I have been invited to worksites around my electorate, and you can tell where workplace health and safety is provided in safe workplaces for workers. There are supervisors in place who know their workers. They know what is happening in their workplace, and they make sure that everybody on the worksite has proper industrial protection equipment and is following regulations. An independent statutory office for work health and safety prosecutions will put the focus on behaviour at

unsafe workplaces so that cases will not slip through the cracks and employees and companies will be held responsible for shonky, unsafe practices. On a worksite there is no room to cut corners on safety. This position will be held for five years and is renewable.

There have been times when access to a worksite following a workplace incident has been denied. The new right-of-entry amendments will resolve disputes where there is a valid right of entry without the need for escalation to a tribunal. Transparency and a thorough investigation is needed when there is an incident. This bill is good for workers and I commend the bill to the House.