




Speech By
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Record of Proceedings, 22 August 2024

**ELECTRICAL SAFETY AND OTHER LEGISLATION AMENDMENT BILL;
WORKERS' COMPENSATION AND REHABILITATION AND OTHER
LEGISLATION AMENDMENT BILL**

 **Mr WATTS** (Toowoomba North—LNP) (11.52 am): I rise to make a contribution on the Electrical Safety and Other Legislation Amendment Bill. I know this is a cognate debate, but I will confine my comments to this particular bill.

First, let me say the LNP will always support improvements to workplace health and safety. When a worker goes to work it is critically important that that environment is safe and we expect them to be able to return home safely. That said, we are also aware that this Miles Labor government is beholden to the union movement in many ways. Not only the Queensland Law Society but also the opposition is concerned about potential overreach in some elements of this bill. Let me go to that first.

The principal point is that this bill gives permission to workplace health and safety representatives to take photos and videos during inspections and that raises concerns about privacy. There is no plan for how this photographic evidence may or may not be used. There is very little by way of processes to protect the privacy of a business or individual who finds themselves in those pictures. There is no real framework to ensure that the pictures are only used in an appropriate way and are destroyed or appropriately archived at the end of any such investigation. It was highlighted by the LGAQ and the QLS that there need to be guidelines for the handling and deletion of this material, on managing this and protecting individuals' privacy rights.

We have heard in recent times in relation to Cross River Rail how people's knowledge of particular employees and their conduct is being used to both intimidate them and be quite overbearing in the workplace. I think the CFMEU have made it quite clear that they have a particular view on who and how people should enter a workplace. This legislation will hand people more power. If it is not constrained, not regulated and not well managed some unintended consequences may arise that could actually endanger the workforce and jeopardise their privacy. They may find that information about them could be shared with people with poor intent and potentially cause them harm.

It is very important as this bill goes through this process that those concerns are raised. Any minister who is left to administer this legislation as it becomes an act needs to ensure in great detail that there is a process for managing it. There needs to be regulation and a framework around that to ensure privacy is well protected and there are no unintended consequences from evidence gathering by a workplace health and safety representative. That is probably the main thrust of my concerns about elements of this bill.

Some other parts of the bill seek to include extra-low voltage equipment under the definition of 'electrical equipment' where it meets a specific threshold. Once we got into the discussion it started to get confusing as to what is extra-low and what is high, and I hear my colleague on the committee laughing. I am not sure any of us are the wiser. I would say that clearly people who are well trained and

well educated in this area are the best people to be handling this. I am more than happy to take their advice to make sure that people in the workplace, particularly young apprentices as they go about their job training, are suitably trained and suitably supervised.

Stakeholders raised several concerns that the bill might unintentionally include fire protection work under its scope which is in conflict with the Building and Construction Commission—the QBCC—framework. The MEA suggested that licensed electrical contractors should be allowed to inspect and test emergency lighting and install fire alarm systems as they are adequately trained. I used to run pubs and clubs and I had a very sophisticated fire protection system fitted. It was very expensive, it had automatic air extraction and other things, and the testing of the correct functioning of that equipment on a regular basis was fundamentally important. If we overcomplicate and overregulate in this area, I am fearful that as the cost goes up due to that regulation, compliance may drop off as people are tempted to not have it tested as regularly as they should. I think we need to ensure people with suitable qualifications can go in there and do the work. We should be careful that we are not restricting someone who has been trained to do that work—to test it and tick it off—from being able to do so.

There needs to be a robust process to ensure that those people are qualified and they can adequately test it, because, on the day it all goes wrong, this is the system that will save thousands of people's lives in a burning building, so it is important that it is correct. I am not underestimating that, but the framework we have under the QBCC would appear to be adequate, and there were certainly some concerns raised in that area.

There was also some discussion about who can work on electric vehicles. The bill clarifies that it does not intend to regulate work on electric vehicles and it should remain the responsibility of automotive technicians. That is a good thing because, as we have this alternative energy source for vehicles developing, being maintained and being fixed, there are going to be some crossovers between industries. Just as an aside, these vehicles also create great difficulty for some of our emergency services to manage on the roadside because of the great fire risk and electric shock risk in an accident. This is an emerging area and it is good to be cautious and clarify it, but it is something that we as a parliament will need to constantly monitor as it evolves and the numbers of these vehicles increase, particularly as they age.

With regard to the clarification of the definition of electrical work, the bill aims to clarify what tasks are considered electrical work, particularly concerning ELV equipment, ensuring that not all such work requires a licensed electrician. The ETU raised concerns about concurrent legislation allowing certain electrical work to be performed under inadequate supervision, prompting the department to establish a working group to review this. Again, this was a fairly confusing area, so let us get the experts in a room with the department so we can get some decent recommendations to ensure we have at the very least some robust regulation that is not overly restrictive to deliver a union and its members control over particular elements but at the same time is there to protect consumers effectively and to ensure that as people go about their work in the workplace it is safe—that is, not only is the equipment safe for the people using it but also there are processes, procedures and regulations in place to ensure that someone adequately trained and capable is the person fixing any of those electrical faults or determining exactly what has happened.

In summary—and I note the clock winding down—I just want to reiterate that there are concerns particularly around sections 68 and 118 of the Work Health and Safety Act in terms of the changes. It is important that, where those health and safety experts are allowed on site to take photographs and act in a certain way, there needs to be serious regulation to ensure they are doing that without any unintended consequences.