



Southern Queensland Branch News

14th May 2009

QCU OH&S WORKCOVER MEETING

Deputy Branch Secretary Trevor Munday attended the above meeting on Tuesday 12th May. Senior representatives of Workplace Health and Safety Queensland were present. This gave us the opportunity to raise issues of concern along with the other Unions present.

We were able to raise the issues regarding the Memorandum of Understanding between AMSA and DETIR (Division of Workplace Health and Safety). The MUA and various Officials have been to numerous meetings pertaining to the new issue of Marine Orders Part 32.

AMSA have relayed that it was participating in a process of consultation regarding the Marine Orders 32 with the relevant State OH&S jurisdictions. The Division stated at the meeting that as yet that consultation process has yet to occur.

The Branch will follow this issue with our national Office. Other matters of discussion were:

1) Workers Memorial

The establishment of a Worker's Memorial in honour of those workers who have died at their place of work.

2) National Plant Code of Practice

There are proposed changes to the Code of Practice which Unions will fundamentally oppose based on the current drafts which will not recognise Australian Standards.

3) Workplace Health and Safety Project

The Queensland Council of Unions is in the preliminary stage of developing a pilot WH&S Project programme which would indicate participants who are nominated from affiliates. A sub-committee has been developed in order to establish the programme.

4) PINS

Provisional Improvement Notices (PINS) Legislation was established that allows for WH&S representatives to issue PINS effective 1st May 2009. The *Branch News* of 26th February 2009 advised for the need for representatives to engage with their respective employer in order for representatives to be accredited. Any area who requires more information in relation to this issue should contact the Branch.

New National Occupational Health and Safety Laws

(THE FOLLOWING IS AN EXTRACT FROM AN ACTU CIRCULAR.)

Harmonisation of OH&S Laws

The Council of Australian Governments resolved in 2006 to create a harmonised set of Occupational Health and Safety laws to apply in the federal, state and territory jurisdictions.

The Rudd Government has also replaced the Australian Safety and Compensation Council with a new body, the Safe Work Australian Council.

Unions support the move to harmonise OHS laws around Australia, so long as it does not mean a compromise of the highest standards and rights for workers. However, the recommendations for model OHS Laws put forward by the national Review will undermine existing laws and safety standards and put workers at risk. There are key areas identified by the ACTU that need to be urgently addressed to protect Australian workers and their families.

Key issues for workers and their families include:

- Ensuring that workers and their representatives are consulted by employers about any issue that may affect their health and safety.
- Ensuring no reduction in rights; powers and protections of health and safety representatives.
- The highest standard of employer duty of care to ensure workers health and safety is protected.
- Improving OHS standards by protecting the right of an injured party or their representative Union to prosecute.

- Employers having the burden of proof in OFS prosecutions to establish they did all they could to make work healthy and safe.
- The right to effective workplace representation on OHS.

Consultation and Health and Safety Representative rights

Under current laws in most States, employers must consult workers about health and safety issues in the workplace.

The proposed laws state that employers would only have to consult if it was “reasonably necessary”, and then only with workers who were “directly affected”.

Unions are concerned that this is loose language that could be abused. Health and safety issues affecting one group of employees may well impact on others.

Unions also want to ensure that there is no reduction to the rights, powers and protections of health and safety representatives.

Right of Entry

The proposed laws require union officials to provide 24 hour notice to inspect documents when investigating a breach of workplace safety laws.

Union officials often travel long distances to a workplace when there’s been a suspected breach of occupational health and safety law. This 24 hour notice requirement should be removed and the new laws should ensure that union representatives have full rights of access and inquiry in cases of suspected breaches of OHS laws.

MAY DAY

There were a couple of omissions from those who were thanked regarding their contribution to May Day i.e.

- Patrick Management for the provision of reefer containers enabling the participants to enjoy a cold one at the conclusion of the march.
- Patrick Delegate and Trainer Dave Holman, in assisting in the logistical requirements; and
- the numerous Cargo Care members who volunteered their time to monitor the containers.

DIARY NOTES

Branch Secretary M. Carr

16 April ASP - phone conference re: report back procedures and meeting time frame.
 17 April Video conference re: preparatory work for MUA Youth conference approx. Oct. 2009.
 20 April Gladstone re: ASP report back – Svitzer and Larcom issues.
 21 April “ “ “
 22 April “ “ “
 24 April Meeting Multi Freight Council CEO.
 “ Phone Conference Teekay re: Hay Pty Towage drafting issues.
 27 April Transit with MUA delegation to Cuba re: 70th Anniversary of Cuban Trade Union Congress/May Day/50th Anniversary of the Revolution.
 6 May Return from Cuba with delegation.
 8 May Attend Svitzer report back meeting to members in Newcastle
 11 May Attend Svitzer report back member to members in Melbourne
 15 May Attend Adelaide Svitzer report back meeting to members
 18 May Svitzer report back meeting to members in Cairn
 19 May Svitzer report back meeting to members in Townsville
 20 May Svitzer report back meeting to members in Gladstone
 21 May Svitzer report back meeting to members in Brisbane
 25 May Svitzer report back meeting to members in Fremantle
 26 May Brisbane Branch monthly meeting
 27 May Maritime Super meeting/Business plan
 28 May “ “
 29 May “ “
 2 June ACTU Congress Brisbane.
 3 June “ “
 4 June “ “
