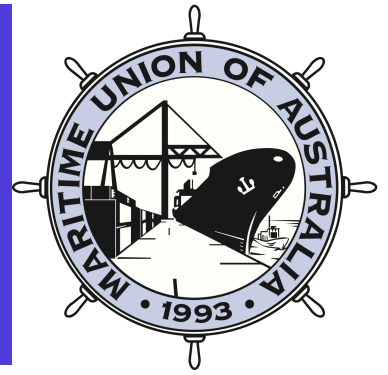




# Working Safe: Waterfront Safety Campaign



## National Stevedoring Code of Practice

After many years the MUA is moving closer to the development of a **National Stevedoring Code of Practice**.

The Safe Work Australia Stevedoring Temporary Advisory Group (TAG) meeting was held on 27<sup>th</sup> September in Melbourne.

After over 12 months of work on the TAG, the latest meeting concluded with a recommendation to go to the Government Department for a Stevedoring Code of Practice (SCOP) to be inserted into the OHS Harmonised Act.

**Below are some points relating to this recommendation:**

- The current SWA Stevedoring Guidance material will form the basis of a SCOP;
- The current SWA Stevedoring Guidance material will be reviewed over the same period to ensure provisions are suitable to be applied as a SCOP;
- The agreed Gaps report adopted at the TAG Working Group will be included in the SCOP; and
- The interpretation in the Act/Regulations for Enclosed /Confined spaces don't reflect areas such as ships holds/crane cabins etc. These areas will be referred to in the SCOP by their relevant name and not Enclosed /Confined spaces.



**The identification of the safety gaps in stevedoring came about as a result of the MUA intensive study into OHS provisions that for the basis of the new Workplace Health and Safety Act.**

After some robust discussion, all stakeholders (Safe Work Australia, State Regulators & Industry Representatives) except WorkSafe Victoria endorsed agreement for a SCOP. This was despite considerable pushback and attempts by companies that had guidance material as a preferred option.

Industry agreed to work with the MUA on the development of an implementation strategy to ensure the workforce is adequately trained on the outcome.



*Continued overleaf*

This fits in with the MUA's national OHS training strategy.

AMSA reported to the TAG that it's AMSA's intention to remove the OHS provisions in M032 and advised the TAG that it was the preference of AMSA for these provisions to be inserted into the Harmonised OHS Act.

The reason given for this is that AMSA believe the OHS provisions are not enforceable when the state/Territories have jurisdiction in stevedoring operations. AMSA's position on this matter has been put on hold over the last 18 months pending the outcome of the TAG process.

The MUA strongly disagree and is continuing to push and lobby for any current regulation to remain as regulation and not be watered down in any manner. The MUA advised the TAG that any provisions that are removed from M032 must maintain their current status as regulation.

SWA and the regulators advised that it wasn't the work of the TAG to determine on elements to be removed from M032 and that considerations on the matter would be the responsibility of the SIG (OHS).

AMSA's position on this is that they're satisfied that M032 provisions can be regulated/policed as effectively as a COP.

It was agreed that AMSA will develop a paper for the SIG (OHS) on the specific provisions that are deemed to be OHS (to be removed from M032) that illustrates:

1. The intention of each provision; and
2. What instrument it could become in the harmonised Act



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to maintain its integrity (ie Regulation or COP)

**The paper will be distributed to all stakeholders for comment.**

SWA will request the TAG recommendation for SCOP and associated matters to be included in the agenda for the next SIG (OHS) meeting on 24<sup>th</sup> & 25<sup>th</sup> November although could not confirm if this will be successful.

The TAG will meet again when the AMSA papers are available and SIG (OHS) position has been determined.

### **Next steps for MUA campaign:**

- Develop a response to the AMSA paper on the matters proposed to be removed from M032 that includes our position on the ongoing status of these

provisions (Reg V COP)

- Develop agreement with industry employers for a cooperative approach to OHS training on the harmonised Act/Reg's etc (ie paid time off to attend training)

**We are another step closer to successfully gaining a National Stevedoring Code of Practice and we will not stop until we have secured the best possible position and a safe waterfront.**

**Authorised by** Warren Smith  
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