



# **Amanda Rishworth MP**

## **Member for Kingston**

### **Safe Work Australia Bill 2008**

22 October 2008

I am extremely pleased to rise to support the Safe Work Australia Bill 2008. This bill creates Safe Work Australia, an independent Commonwealth statutory body designed to improve occupational health and safety outcomes for Australian workers. The bill also seeks to improve workers compensation arrangements.

Occupational health and safety is an extremely important issue that cannot be ignored. Essentially, health and safety is ensuring that when a person goes to work they come home healthy and uninjured. Unlike road deaths, workplace deaths often do not get reported in the media and therefore the extent of deaths at work are not well recognised by the public. Perhaps the most tragic element of workplace deaths is that in most cases these deaths are preventable. In 2005-06, there were 230 compensated fatalities at work. The highest number of deaths occurred in the transport, construction, manufacturing and agricultural industries, but workplace deaths also occurred in many, varied industries, including the health services sector, property and business services sectors, retail trade and education.

Workplace deaths occur in a wide range of industries and therefore it is important that comprehensive occupational health and safety legislation is continually updated and protects the entire Australian workforce. However, occupational health and safety legislation is not just about preventing deaths in the workplace. It is also about preventing injury and disease caused by one's workplace. In addition to fatalities there are many workers seriously injured at work. In 2005-06, 98,000 workers registered serious claims for a workplace injury and 41,000 registered a claim for a disease caused by the workplace, this causing serious distress and heartache not only to those injured but also to those families associated with it.

The cost to our economy of workplace injury and disease is enormous. It is estimated that \$34 billion a year is spent directly on supporting injury and disease in our workplace. This figure is based on those workers that have made claims and this figure is likely to be much larger if the many workers who do not claim through workers compensation were included. Death, injury and disease caused by workplaces have a significant impact on our economy. We must have robust laws designed to prevent these incidents happening in the workplace. There is a myth often propagated by some employers that it is only a careless worker who gets injured at work. However, this ignores the many extraneous variables that can lead to human error such as time

pressures, lack of equipment or fear of recrimination. It is therefore up to governments, employers, employees and unions to work together to ensure that Australian workers return home safely from work. The new Safe Work Australia will replace the Australian Safety and Compensation Council and will be an essential part of the government's strategy to improve safety outcomes and workers compensation across Australia.

The Australian Safety and Compensation Council was set up only as an advisory body and was, essentially, a toothless tiger. The new safe work authority will be funded by the Commonwealth and the states and will play a central role in reforming health and safety and workers compensation legislation around the country. The key reform which Safe Work Australia will be in charge of is harmonisation of health and safety legislation nationally. This is something that the opposition talked a lot about but failed to do when they were in government. This will require cooperation between the Commonwealth and the states to develop a national policy relating to occupational health and safety to prepare, monitor and review model occupational health and safety legislation as well as develop compliance and enforcement policy to ensure nationally consistent regulatory approaches across all jurisdictions and also to develop proposals relating to the harmonisation of workers compensation.

As I have gone around speaking with both employers and employees in my electorate, they have told me they feel it is very logical that occupational health and safety is harmonised around the country. More and more of the workforce is becoming mobile and working across state borders, and many companies have interests in a number of states. It is particularly difficult for a national business that has one set of occupational health and safety policies but must comply with seven different sets of health and safety legislation. Safe Work Australia will work to enable employers and employees in Australia to be clear about what their rights and obligations about safety at work are. By harmonising health and safety and workers compensation legislation, it will eliminate unnecessary state duplication overlaps and difference. This is another example of this federal government working with the states to achieve real reform in Australia.

The process of harmonisation of occupational health and safety legislation across the nation also provides us with an opportunity to recognise and address less visible injuries that are sustained at work. One of these areas that need careful consideration is bullying in the workplace. Bullying in the workplace is a serious issue in many of our workplaces around Australia. Working as a psychologist, I saw the debilitating mental health issues that arise when a worker is bullied at work, with effects such as depression, anxiety and lower self-esteem all leading to a reduction in that worker's productivity and a significant loss to their quality of life. A modern occupational health and safety system must always be proactive about emerging health and safety issues and aim to prevent these injuries from occurring in the workplace in the first place. Safe Work Australia will be a new body that will do this. The new Safe Work Australia will drive a national communication strategy to raise awareness of health and safety at work. Increasing awareness about health and safety in our community is key to ensuring that

the focus is on prevention. Prevention is incredibly essential and should be what occupational health and safety is all about.

One of the key groups that help promote health and safety in our workplace is health and safety reps. My time at the SDA enabled me to work with many great health and safety reps doing fabulous work in their workplace. I would like to take this opportunity to place on the public record my congratulations to all the health and safety reps out there in the workplace working with their employers and fellow employees to improve safety on the ground. Being a health and safety rep is often a thankless job. Health and safety is not always the priority of employees and employers alike at a workplace. However, it is the health and safety rep's job and passion to put occupational health and safety front and centre at the workplace and they step up to this and do a great job. Assistance by the new Safe Work Australia will help health and safety reps raise and communicate health and safety messages in the workplaces, and this will be critical for them to do their job.

Commonwealth and state governments as well as employee and employer associations, including unions, will all contribute to Safe Work Australia. Unions, in conjunction with employers, have played an essential role in promoting health and safety in the workplace and have achieved a great many improvements in health and safety over many decades. I think a great example of that is bringing the issue of asbestos to front and centre of the debate on health and safety in this country. No-one wants to see anyone injured or hurt or a death at work; however, we must work harder to ensure that this is not the reality. The establishment of Safe Work Australia will be critical to improving health and safety at work, and I commend this bill to the House.