



AMMA MEDIA RELEASE

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Stalemate talks an opportunity to improve safety Bill: AMMA

While the stalemate between the NSW State Government and Federal Government continues over new national Work Health and Safety laws, resource industry employers are exploring some more controversial aspects of the proposed legislation with a view to calling for key changes.

Releasing an AMMA Discussion Paper on the issue at a mine safety conference in Perth today, AMMA Senior Workplace Policy Advisor, Lisa Matthews, said resource industry employers were raising concerns about certain elements of the Bill which were undermining employer confidence in the new harmonised health and safety laws.

"While AMMA members support making the safety rules clear and consistent for employers through the establishment of harmonised laws across the country, urgent changes are needed before it passes through Parliament in order to achieve balance and consistency within the proposed new system," Ms Matthews said.

"It is important the *Work Health and Safety Bill 2010* and *Fair Work Act 2009* are consistent in order to remove the potential for unions to bypass the existing rules under the IR legislation in relation to union right of entry."

"Differences between the two pieces of legislation, as they currently stand, give unions back door enhanced entry to workplaces and access to information under the *Work Health and Safety Bill* which goes well beyond existing union rights under the *Fair Work Act*," Ms Matthews said.

"This is despite the fact the laws allowing union right of entry have already been significantly expanded under the Fair Work Act.

"Consistency and harmonisation should occur across all overlapping jurisdictions so employers, employees and unions are in no doubt as to their rights and obligations."

Ms Matthews also said union permit holders have far greater access to documents and employee records under the draft Work Health and Safety Bill than they do under the Fair Work Act.

"If this is left unchanged unions will bypass stricter controls under the Fair Work Act in favour of more lax rules proposed under the Work Health and Safety Bill," Ms Matthews said.

"Such a situation would also compromise previous assurances given by Government to employers about union rights to access confidential employee records."

"Such 'old-school' union tactics have no place in modern workplaces.

"While AMMA welcomes the concept of harmonisation, we believe there are some significant areas of concern which should be addressed now while it is still possible to get the legislation right.

"AMMA Members are being strongly encouraged to participate in this process by providing feedback on the Discussion Paper," she said.

ENDS