

4 May 2021

## Why we are making this statement

Several high-profile reports, including the [Review of the Model Work Health and Safety Laws \(known as the Boland Review\)](#) and the [Respect@Work: Sexual Harassment National Inquiry Report](#), recommend that reforms to the Model Work Health and Safety (WHS) Laws are necessary to help workplaces improve their psychological health and safety practices.

Ministers of WHS from each state and territory will come together in May 2021 to discuss recommendations from these reports, one of which is the inclusion of psychosocial hazard regulations in the *Model Work Health and Safety Act*. The regulation should reflect the changing world of work to help employers eliminate or manage emerging hazards such as occupational violence, bullying, sexual harassment and work overload. It will need to be developed in consultation with stakeholders, including workers, employers and the mental health sector and must be guided by the latest science to ensure that it adequately deals with these emerging issues across workplaces of all shapes and sizes.

### The Boland Review

The Boland Review, conducted by former Executive Director of SafeWork SA, Marie Boland, for Safe Work Australia, found serious deficiencies with the way mental health and safety is regulated in workplaces. The Review recommended that Australia's WHS Laws should be changed to include psychosocial hazard regulations. To date, there are over 20 formal WHS regulations which provide guidance on addressing physical hazards, and none in place for psychological hazards. Working people and their families need regulations to protect them against psychological hazards, just the same as they do with physical hazards.

### Respect@Work: Sexual Harassment National Inquiry Report

In this important report, Sex Discrimination Commissioner, Kate Jenkins, confirmed that the right of workers to be free from sexual harassment is a workplace right and a health and safety right, as well as a human right. Her report found that our laws are failing to keep workers safe and makes 55 recommendations for reform. One of these recommendations includes stronger WHS laws to make sure that employers tackle the underlying causes of sexual harassment and gendered violence at work.

## Urgent action needed to protect mental health at work

We, the undersigned organisations, believe workplace mental health is at a crucial tipping point in Australia and that governments must act to make workplaces mentally healthy and safe.

Everyone has the right to healthy, safe and respectful work. Too many people are being injured mentally and physically through their work. Mental health injuries are increasing at an alarming rate, harming workers and impacting workplaces on many levels.

During the 2018-19 period, Safe Work Australia reported that 8% of all serious workers' compensation claims were for mental stress. Mental stress is the fastest, and one of the only, growing injury claims in our workers' compensation system. This doesn't have to be the case. There

is a growing evidence base showing the type of workplace modifications and interventions that can help protect workers and their mental health.

The COVID-19 pandemic has further accelerated the critical situation faced by many workers when it comes to mental health. Working from home, changes in work organisation and increasing job demands have caused untold mental stress on the Australian workforce.

**Our work health and safety laws must provide an equal level of protections against risks to our mental health as it does our physical health. Currently they do not.**

We are asking governments to join with us to protect workers from mental health hazards and injuries by adopting the recommendation for a psychosocial hazard regulation, to be included in our Work Health and Safety laws.

**Australia's mental health cannot wait any longer to be protected at work.**

Endorsed by the following organisations:



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Australian Council of Trade Unions (ACTU)



Janet Grima  
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