

OCCUPATIONAL HEALTH AND SAFETY RESOLUTION ACTU CONGRESS 1997

1 INTRODUCTION

- 1.1 The ACTU Congress affirms its commitment to improving occupational health and safety standards in Australian workplaces.
- 1.2 The incidence of occupational death, injury and disease remains high in Australia, with a trend in recent years to less safe workplaces. Governments are significantly reducing research into significant and emerging OHS issues, and are severely limiting the development of further legislated national OHS standards and codes of practice.

2 ACTION PROPOSED

- 2.1 The ACTU and affiliates will continue to campaign for improved public awareness of OHS issues, adequate government funding and resources for OHS, and the development, implementation and enforcement of national OHS standards. We should demand adequate compensation for victims of occupational injury and disease.
- 2.2 The ACTU and affiliates will work to prevent death, injury and illness in Australian workplaces by:
 - 1] strengthening union OHS presence on the job by defending the roles and powers of elected OHS representatives where they are provided for in legislation, and campaigning for their introduction where they are not;
 - 2] better servicing the needs of union organisers and workplace representatives for information and advice on OHS matters;
 - 3] highlighting the death and injury rates of young workers and targeting information to raise the awareness of young people about OHS issues, and the role of the trade union movement in addressing OHS in the workplace;
 - 4] actively participating in and supporting the ACTU National OHS Campaign and the International Day of Mourning; and
 - 5] developing publicity and awareness raising amongst workers regarding the duty of care in the workplace and employer responsibility in that regard;
- 2.3 The ACTU will campaign for the strengthening of powers of the appropriate government bodies to inspect any workplace without notice, issue corrective notices, and issue penalties where failure to comply occurs.

- 2.4 The ACTU and affiliates will work, through Awards and enterprise bargaining, to maintain and where possible expand union and TLC training (in conjunction with industry, where appropriate). We will produce OHS manuals for HSRs and delegates and hazard-based guidelines, particularly for emerging OHS issues and areas not covered by standards.
- 2.5 The ACTU and affiliates will work with industry to promote procedures whereby employees and employers can jointly determine safe systems of work. We will ensure that management gives a high priority to OHS, through the inclusion of OHS clauses in enterprise agreements, and by participation in Community Consultative Committees and National Industry OHS Committees, where they still exist.
- 2.6 The ACTU and affiliates will continue to ensure a wider implementation of National OHS Standards and codes and greater understanding by employers, delegates and members. We will pick up OHS standards developed but not declared by NOHSC, eg., spray painting, occupational diving, hazardous construction, and dangerous goods, and promote their adoption by employers, including by conducting industry based OHS campaigns.
- 2.7 The ACTU and affiliates will maintain activities with regard to existing OHS hazards. We will continue to campaign for better assessment, labelling, registers and provision of MSDSs, and the implementation of the Hazardous Substances Regulations in all States and Territories. We will campaign for safer chemicals in the workplace by pushing governments and the health professions to acknowledge the subtle health effects of chemicals, including chemical sensitivity, as serious and compensable OHS issues, and by revitalising the asbestos campaigns.
- 2.8 The ACTU and affiliates will focus on emerging OHS issues, particularly by raising awareness of the causes, effects and extent of work related stress, and by campaigning to reduce its incidence in the workplace. We will monitor the extent of workplace violence, especially in those industries where people work with cash, and/or are required to relate with members of the public, clients, students or patients in difficult situations, and we will direct attention to environmental issues, particularly in relation to contaminated sites, industrial pollutants and the transport of hazardous wastes.
- 2.9 The ACTU and affiliates will continue to oppose the blanket deregulatory approach to OHS, by conducting compliance surveys and inspections, and by using media, politicians, questions in parliament etc., to highlight where deregulation is not working, and enforceable OHS laws are needed. We will campaign for increased OHS resources in States and Territories, particularly OHS inspectorates, which are resourced to a level which enables them to enforce OHS standards and prosecute breaches. We will seek criminal sanctions for negligent employers, and we will resist efforts to remove workers' common law rights to sue employers for negligence.
- 2.10 The ACTU and affiliates will continue to campaign for adequate compensation for victims of workplace death, injury and disease, with a broadening of the definition of injury to include work related stress, and for a broadening of the definition of worker to include those who are nominally sub-contractors since the present definition of worker is too narrow, and leaves too many people unprotected.

- 2.11 The ACTU and State TLC's will convene meetings to campaign against the attacks on workers compensation and rehabilitation, and in particular to prepare to respond to the Federal and State government responses to the National Heads of Workers' Compensation Authorities Report in 1998.
- 2.12 The ACTU and affiliates will continue to support the work of the ACTU OHS Unit, which will focus on participation in the work of the National OHS Commission and other tripartite bodies, identification of significant and emerging OHS issues, monitoring of local and international developments in OHS issues, standards and solutions, support for affiliates by providing OHS resources including guidelines, bulletins and other publications, and coordination of an annual National OHS Campaign.