

## Time is running out to prevent watering down of workplace safety protections

In a new submission to governments, unions say time is running out to prevent a weakening of workplace health and safety protections.

In the ACTU's final submission on the exposure draft of the proposed new national workplace health and safety laws, unions urge the Federal, State and Territory governments to toughen the requirements on employers to provide a safe workplace.

ACTU Secretary Jeff Lawrence said the proposed health and safety laws must put the interests of employees first, and not those of business.

"We owe it to the victims of workplace accidents and their families to ensure that new national occupational health and safety laws provide the highest standards of rights and protections," Mr Lawrence said. "More Australians die each year from a work-related illness or injury than from road accidents.

"The proposed laws will impact upon the lives of real people - sons, daughters, partners, parents, neighbours, and loved ones. There is a special obligation on our governments to ensure that the new laws minimise the possibility of Australians being subjected to a tragic incident in their workplace.

"The draft laws fall short because they will compromise or reduce protections for many Australian workers. Millions of workers in NSW and Queensland will be particularly affected by the loss of injured workers' right to take court action and a reduce onus on employers.

"The objective of national health and safety laws should be to raise these standards, not reduce business red tape at the expense of workers' lives.

The ACTU submission raises outstanding concerns in six key areas. It says that the proposed laws would place a range of barriers, some undemocratic, in the way of health and safety representatives from effectively performing their role. The ACTU also calls for workplace accident victims to have the ability to initiate legal action in all states and territories.

"Regulators rarely, if ever, prosecute near misses or breaches that result in non-catastrophic injuries," Mr Lawrence said. "Yet experience in NSW and the ACTU is that the right of injured workers to prosecute is used very sparingly, has always been successful, and has often resulted in nationwide improvements in safety standards."

Unions also remain concerned that the model laws place the onus on the prosecutor to prove that an employer did not provide a safe workplace, rather than the reverse.

The ACTU submission says the obligation for employers to consult with workers about health and safety should be unconditional, and the proposed laws would undermine the capacity for unions to address workplace safety concerns in a timely fashion.

"This could cost workers their lives in high-risk industries," Mr Lawrence said.

*Copies of the ACTU submission are available on request or at <http://www.actu.asn.au/publications/>*

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