

**Report on the
Review of
Safe Work Australia's Role and Functions**

**Comment by the
Australian Council of Trade Unions
(ACTU)**

January 2017

Recommendation 1

The ACTU agrees with Recommendation 1.

Recommendation 2

Subject to our comments set out below, the ACTU supports Recommendation 2.

The ACTU is of the view that topics and functions of Safe Work Australia (SWA) outlined in the *Safe Work Australia Act 2008* should encompass the following:

MODEL WORK HEALTH AND SAFETY LEGISLATIVE FRAMEWORK

It is the submission of the ACTU that SWA should maintain the function of monitoring the adoption by the Commonwealth, States and Territories of model WHS legislation, codes of practice and the approved compliance and enforcement policy.

Our view is that unless effective monitoring continues to occur, the extent to which the laws are harmonised will decrease. The ACTU strongly supports the summary comments set out on page 20 of the report (in booklet form).

COLLABORATION

The ACTU submits that SWA should also have a role in leading collaboration amongst Australian Government departments and agencies on work health and safety and workers' compensation policy matters. There is evidence to suggest there is little effective co-ordination, collaboration and communication between SWA and many Australian Government departments, agencies and regulators, and amongst Australian Government departments, agencies and regulators.

Improved collaboration will in our submission lead to improved work health and safety outcomes.

EMERGING ISSUES

"ACT officials also made an important point that Function 2 should continue to enable Safe Work Australia to also develop model WHS laws to provide flexibility to deal with new and emerging WHS issues." (page 15)

The ACTU agrees with the sentiments expressed here. In our submission, SWA should have the ability to deal with any issue that threatens the health and safety of workers at work. For example, the hazards associated with the operation of quad bikes are neither a new or emerging issue, yet there are numerous quad bike related fatalities each year.

This sentiment appears to be reflected in Proposed Function 1 (page 33).

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