



25<sup>th</sup> July, 2018

Committee Secretary  
Senate Economics Legislation Committee  
Department of the Senate  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600  
AUSTRALIA

Via email: [economics.sen@aph.gov.au](mailto:economics.sen@aph.gov.au)

Dear Secretary,

**Re: Offshore Petroleum and Greenhouse Gas Storage Amendment (Miscellaneous Amendments) Bill 2018 (Cth)**

The Australian Manufacturing Workers' Union (AMWU) represents over 70,000 workers who create, make and maintain across Australia. Safety is union business and the AMWU has a long and proud history of fighting for safer workplaces for all Australian workers.

The AMWU represents maintenance workers in the Offshore Oil and Gas industry. Western Australia has been the site of significant growth and activity in the sector, notable projects include the North Rankin Complex, the Ichthys FLNG Project and the Prelude FLNG Project.

The AMWU supports the ACTU submission to this Inquiry and draws the attention of the Senate Committee to the AMWU submissions to other relevant inquiries:

- Review of Work Health and Safety law 2018
- Senate Inquiry into Work health and safety of workers in the offshore petroleum industry
- Senate Inquiry into Industrial Deaths

The AMWU calls for significant reforms of the OPGGS Act to ensure that offshore workers are afforded the same protections as other Australian workers. The disparity between protections afforded to offshore vs onshore workers is unjust and unacceptable especially given the high risk nature of off shore work.

The failures of NOPSEMA as a regulator are well articulated in the oral and written submissions to the Senate Inquiry into Work health and safety of workers in the offshore petroleum industry. In particular we draw the Committee's

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attention to the oral submissions by Mr. Glenn McLaren, Mr. Troy Carter and Mr. Steve Dodd.

In our submission to the Review of the WHS Act the following recommendations are of particular relevance to off shore workers:

- Introduction of “reverse onus” approach
- Adoption of the approach section 4 of the NSW Work Health and Safety (Mines and Petroleum Sites) Act 2013 for Offshore
- Adopt a Code of Practice to assist duty holders to identify the major WHS problems associated with each type of working relationship eg labour hire
- Give HSRs the right to real choice of training providers on the condition that at least 14 days notice is given to the relevant PCBU of attendance at an approved course and the ability for the regulator to assist in any disagreement about the attendance at an approved course [a right which exists in Victoria and throughout the vehicle industry for decades]
- Adopt the South Australian approach to HSR training - 5 days training in the first year, 3 days training in the second year and 2 days training in the 3rd year of their 3 year tenure
- Requiring regulators to take a much more proactive and strategic approach to enforcement and compliance along supply chains
- Requiring that labour hire be defined as high risk work which would require introduction of provision of training that is funded by the host employer
- Allowing an EPH to direct a cessation of work which poses an immediate or imminent risk to workers including a requirement to notify relevant PCBUs and the WHS inspectorate
- Allowing a permit holder who has lawfully entered a workplace under another law to remain on the premises to investigate a contravention of the WHS laws
- Allowing an EPH to require a PCBU to send relevant information or documents electronically or by other means by a set date following a request.
- Inspectors must actively support and interact with HSRs
- Requiring an inspector to issue their written report of a visit to HSRs
- Regulators adopting a strategic approach to enforcement activity by targeting those PCBUs that influence supply chain behaviours.

If you would like any further information, or if we can assist the committee in any way, please contact my personal assistant [REDACTED] on [REDACTED] in the first instance.

Kind regards,

[REDACTED]

Andrew Dettmer  
AMWU NATIONAL PRESIDENT