

Senate Standing Committee on Education and Employment

QUESTIONS ON NOTICE Additional Estimates 2016 - 2017

Outcome 2 - Workplace Relations and Economic Strategy

Department of Employment Question No. EMSQ17-001582

Senator Cameron provided in writing.

Question

Federal Safety Commissioner - referral to agencies and bodies

The Federal Safety Commissioner's functions under the Act enable him to refer matters to other relevant agencies and bodies. What are relevant agencies and bodies?

How many matters have you referred to other relevant agencies and bodies in the past three years?

What is the nature of the matters referred?

To which agencies and bodies have they been referred?

Answer

The Federal Safety Commissioner may refer matters to state and territory regulators (SafeWork NSW etc) where his auditors ('Federal Safety Officers') observe serious legislative breaches during a site audit.

This is rare as companies accredited by the Federal Safety Commissioner are required to have very thorough safety systems and practices designed to avoid safety incidents occurring. Although not a regulator, the Federal Safety Commissioner's requirements go beyond minimum legislative standards (refer to EMSQ17-001581).

The Federal Safety Commissioner is aware of two audits in the last three years that resulted in him notifying the relevant WHS regulator in the jurisdiction of dangerous practices on site (one each in the Northern Territory and Western Australia). One involved poor traffic control and the other involved a dangerous occurrence related to mobile plant.