

National 'Harmonisation' of Occupational Health and Safety Laws

Successive federal and state governments of all political persuasions have, over the past several years, been working together to achieve a uniform set of Occupational Health and Safety laws to apply across the country; a process known as 'harmonisation'.

Currently, the Victorian Government is sending mixed signals as to whether or not Victoria's Occupational Health and Safety Act 2004 ("the Act") will be brought into line with safety laws of all other states, territories and the commonwealth.

While on the one hand the State Government's May budget papers indicate that Victoria won't be supporting 'harmonised' OH&S laws, its principle safety authority, WorkSafe Victoria, has recently said that the Government would provide qualified support to the principle of national harmonisation of health and safety laws so long as it won't result in increased cost to business or reduced safety standards. As late as a week ago, WorkSafe further committed to 'work towards best practice legislation'.

For the record, The Police Association is of the view that current proposals to 'harmonise' health and safety laws across the country will reduce the role of Health and Safety Representatives. The Association continues to air its views and provide input on this issue to relevant forums and stakeholders.

Changing the Goalposts

The good news is that thanks to much lobbying by The Police Association, the Victorian Government has recently made available a substantial injection of funding in the recent May budget to improve and upgrade police facilities to accommodate 1700 extra police and 940 extra protective services officers.

Moreover, an announcement is imminent about where the new Crime Department complex and City West Police Station will be located. It is expected that Health and Safety Representatives and their Deputies ("HSRs") should soon be heavily involved in consultation about the impacts of these initiatives on their particular workgroups

The not-so-good-news is that the Government has recently announced changes that will affect the accommodation standards of all public servants, including police.

In an advisory document published in March 2012, the Department of Treasury and Finance has decreed that all new office fit-outs and tenancy refurbishments are required to comply with a maximum average workplace density ratio of 12 square metres for every staff member. This represents a reduction from the previous long-standing ratio of 15 square metres.

Supervision of Prisoners

Significant under-investment by previous governments in the building of gaols has meant that they are all just about full.

Unfortunately, the overflow of prisoners will end up in police cells until new gaols are built. This fact, coupled with the high degree of supervision of persons in police custody required under the introduction of the

“Persons in Police Care or Custody” policy, will mean a significant amount of police resources will be required to care for prisoners.

You will be aware that each police cell has gazetted accommodation levels that have been determined with the safety of members and prisoners in mind. In order to minimise the associated safety risks to members during times when more prisoners will be held in police cells, HSRs are encouraged to remind members to adhere to these levels at all times.

HSR Elections

HSRs that are coming up to the end of their third year in the role are advised to consider whether they wish to re-nominate to continue beyond their current term.

In an effort to provide continuity of representation for local members, HSRs are requested to bring their end-of-tenure notice to the attention of their local constituent members and to the attention of their local Occupational Health and Safety Committee.

Once the Chair of the Committee is aware that the expiration of your 3-year term is imminent, (s)he should then notify The Police Association under the terms of the EBA to commence the nomination process for a HSR for the next 3 years.

The aim of this exercise is to have a HSR at the ready for the following term prior to the expiration of the current term.

New Publications by VicHealth

The Victorian Health Promotion Foundation, best known as VicHealth, appears to be adopting an increasing focus on workplace health and safety as part of its core function of promoting general health in the community.

As part of this renewed focus, VicHealth has recently published the following reports dealing with workplace safety issues:

- Reducing stress in the workplace;
- Preventing violence against women in the workplace;
- Reducing prolonged sitting in the workplace; and
- Reducing alcohol-related harm in the workplace

While these publications do not place any new OHS obligations on employers, they should be considered as part of the general body of knowledge that every employer must be aware of. Any interested HSR should go to www.vichealth.vic.gov.au and click on “Creating Healthy Workplaces Publication” on VicHealth’s home page.



BRUCE MCKENZIE
Assistant Secretary