BACKGROUND

The Victorian Trades Hall Council (VTHC) was founded in 1856 and is the peak body for unions in Victoria. VTHC represents approximately 40 unions and over 400,000 Victorian workers. These workers are members of unions that reach into every industry in the state, both in public and private sectors.

Since gaining the Eight Hour Day in April 1856, VTHC has had a long history of fighting and defending the rights of workers in Victoria. The importance of winning the eight hour day is significant not just in Australia but worldwide. Few advances in the quality of life for working people would have been achieved without the involvement of the Victorian union movement.

Over the last 160 years, VTHC and its affiliated unions have campaigned for and successfully won a range of important rights and entitlements for Victorian (and Australian) workers, including:

• Minimum wage
• Penalty rates
• Collective bargaining rights
• Freedom of association and the right to representation
• Occupational Health and Safety (OHS) protections
• Annual as well as sick (and carer’s) leave
• Maternity and parental leave
• Domestic violence leave
• Superannuation
• Protections from unfair dismissal and redundancy entitlements, and
• Long service leave

VTHC will continue to campaign tirelessly for the rights, entitlements, protections and health and safety of workers in Victoria, no matter their employment status, employer or workplace.

Occupational health and safety (OHS) is a vitally important issue. All workers have the right to work in an environment that is safe and without risks to health. Employers have a duty to make every effort to ensure the safety and health of workers. It is an important role of the Victorian Government to ensure that workers are safe by providing a regulatory framework that prohibits unsafe workplace practices. It is also vital that these regulations are enforced to ensure compliance.

VTHC welcomes the opportunity to contribute to the Government’s inquiry into OHS enforcement and compliance. **VTHC’s commitment to the safety of workers cannot be understated.** In the following pages VTHC will propose a number of improvements to the way the Occupational Health and Safety Act (2004) (Vic) is enforced.

VTHC looks forward to working with the Victorian Government and other stakeholders to improve workplace health and safety. Strong legislation backed by a commitment to its enforcement will go a long way to helping making Victoria’s workplaces safe. **The price of inaction on this issue is too great.**
## CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive Summary</td>
<td>4</td>
</tr>
<tr>
<td>The Development of Compliance and Enforcement Policy</td>
<td>5</td>
</tr>
<tr>
<td>Enforcement, Not Just Encouragement</td>
<td>6</td>
</tr>
<tr>
<td>Inspections/Inspectors</td>
<td>7</td>
</tr>
<tr>
<td>Enforcement</td>
<td>8</td>
</tr>
<tr>
<td>Process and Policy</td>
<td>8</td>
</tr>
<tr>
<td>Discussion Paper Questions</td>
<td>9</td>
</tr>
<tr>
<td>Notes</td>
<td>28</td>
</tr>
<tr>
<td>Appendix</td>
<td>29</td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY

VTHC will always fight for the health and safety of working people. A workplace where all reasonably practicable action is taken to remove risks of injury or death is the right of every working Victorian. The Victorian Government seeks to ensure this right through a number of laws. The Victorian Government must ensure these laws are complied with.

VTHC has had input from 549 Health and Safety Representatives (HSRs) through our HSR Submission Portal. VTHC has consulted widely and deeply with unions. Our submission to the review offers in-depth and thorough responses to all 28 questions as well as introductory discussion on important themes. Of all the recommendations that we make throughout the submission, we have distilled a list of ten key recommendations that WorkSafe can implement immediately. There are some areas where WorkSafe is impeded from effectively enforcing the OHS Act because of gaps in our legislation – we have provided a short list of gaps that must be addressed.

RECOMMENDATIONS THAT WORKSAFE MUST ADOPT NOW

1. WorkSafe must commit to more enforcement activities and prosecutions. WorkSafe must consult with stakeholders on strategic prosecutions. Voluntary compliance must be examined and subject to increased reporting to enable quality control and prevent repeat offending.

2. More inspectors with an increase in recruitment from HSR and union official ranks to ensure the relevant knowledge and experience enters the inspectorate. Inspectors must be better trained and better supported. The aim should be to radically increase the number of inspections and investigations while ensuring that thoroughness and consistency improve throughout all WorkSafe’s activities.

3. WorkSafe must improve its support for HSRs, and increase its communication with HSRs, workers and unions when inspecting workplaces.

4. Failure to consult, a breach of s35 of the OHS Act, must become an area for strategic prosecutions to deter non-compliance with this fundamental plank in our OHS framework.

5. WorkSafe must ensure the correct balance is struck between its statutory obligations to enforce compliance with the OHS Act and its wellness and wellbeing education programs.

6. WorkSafe must improve its co-operation and consultation with statutory stakeholders to improve its ability to influence workplaces that its inspectorate cannot visit.

7. Better targeting of those employers with significant or regular injuries resulting in workers’ compensation claims.

8. Naming and shaming of employers who breach the OHS Act must become a key feature of WorkSafe’s communication strategy.

9. Greater engagement with stakeholders via OHSAC, SRG & SWG throughout the development of long term strategy, policies and campaigns.

10. WorkSafe must do more to help ARREOs gain entry to a site when employers are denying them entry. When an employer refuses entry after an inspector has advised them to allow the ARREO onsite, WorkSafe must prosecute the employer for breaching the OHS Act.

RECOMMENDATIONS REQUIRING LEGISLATIVE OR REGULATORY CHANGES

- Regulations need to made that empower Inspectors to issue infringement notices (‘on the spot’ fines).
- Roving HSRs from the Maxwell Review must be revisited to address the changing nature of work in Victoria.
- Sections 35 and 36 of the OHS Act need to be rewritten to make it clear that the employer has a duty to consult with HSRs, but where there are no HSRs, the employer must consult with affected employees. This was the recommendation from the Maxwell review.
- A catch all provision providing that a breach of any section of the OHS Act is an offence must be inserted into the OHS Act.
- WorkSafe needs the power to resolve right of entry disputes.
- Authorised Representatives of Registered Employee Organisations (ARREO) powers must be increased to include the right to issue a PIN or a cease work to resolve an safety or health issue in a workplace.
- Revision of Section 132 of the OHS Act (2004) (Vic) to require:
  - Prosecutions to be carried out within one year of the ending of coronial hearings
  - Prosecutions within six months of the contravention of enforceable undertakings
  - Renewed investigations into offences where reckless conduct has led to risk of serious injury or death whenever fresh evidence emerges.
THE DEVELOPMENT OF COMPLIANCE AND ENFORCEMENT POLICY

As stated in the discussion paper for this review, WorkSafe’s compliance and enforcement policies are underpinned by a regulatory strategy described as ‘constructive compliance’. The adoption of the constructive compliance model has been evolutionary¹ and is reflective of a trend in policy development within regulatory bodies throughout the western world².

Globally, the constructive compliance model is the result of the movement away from previous regulatory frameworks³. Prior to the 1970s regulation was heavily based on prescriptive regulation backed by strong enforcement. Generally, the reaction to this style of regulation was to move towards deregulation where organisations and industries were for the most part left to regulate themselves⁴. Occupational Health and Safety was not an area where deregulation could be fully implemented and therefore the move in Victoria was towards the risk based rather than an inflexible, prescriptive rules based regulatory system⁵. The move away from prescriptive legislation to objective based, ‘self-regulation’ in Victoria was balanced by providing workers with their own means to ‘police’ the employer: elected health and safety representatives with rights and powers – including the power to order cease works in cases of immediate risk.

Constructive compliance is a risk based, rather than a rules based approach. It has been developed in part to more efficiently allocate a regulator’s resources in a manner that achieves outcomes desired by regulation. Constructive compliance is based on the principle that regulatory best practice is achieved by a policy framework that balances two important principles⁶.

1. The regulator must offer advice and education to help encourage compliance.
2. The regulator must enforce the rules to deter non-compliance.

On one side of the framework is the need for a regulator such as WorkSafe to act as an educator and encourage compliance without the need for enforcement by the regulator. The rationale for this is that most organisations are motivated by social norms and a desire to behave in a manner that is in line with community values⁷.

By educating businesses in OHS best practice, and by encouraging industry to take ownership of OHS outcomes it is hoped that OHS regulations will be complied with bringing about good OHS outcomes.

Employers/companies can be divided into four ‘categories’:
1. Committed
2. Compliant
3. Complacent/Clueless
4. Criminal

While education and encouragement will hopefully move category 1-3 employers up the scale, this approach does not work for employers who remain complacent or are criminal in their non-compliance with law. Thus, equally important to the constructive compliance framework is the need for strong and consistent enforcement of the rules by the regulator. Regulatory theory demonstrates that enforcement has a number of important functions:

1. Enforcement acts to deter organisations that do not feel compelled to uphold social values such as OHS standards⁸, evidence demonstrates that there is a clear relationship between prosecution and deterrence⁹.
2. Regulations and their consistent enforcement help to establish the normative framework that good employers adhere to¹⁰ and sometimes exceed.
3. Strong enforcement practices make the potential cost for employers greater than the possible savings of non-compliance helping to ensure regulations are adhered to¹¹.
4. Efforts to penalise non-compliance of regulations serves to reinforce to those businesses who do comply that they are ‘playing on a level playing field’ and will not be disadvantaged for providing safe workplaces¹².

Whilst self-motivated compliance measures can be an effective component of achieving good regulatory outcomes, it is clear from academic literature that these measures must be underpinned by a strong and consistent commitment to deterrence and enforcement. It is the position of VTHC that amongst the outcomes of this inquiry it is imperative that WorkSafe must commit to stronger enforcement in order to create a real deterrence and thereby improve OHS outcomes in Victorian workplaces.
ENFORCEMENT, NOT JUST ENCOURAGEMENT

The Occupational Health and Safety Act 2004 (Victoria) (the Act) underpins WorkSafe’s compliance and enforcement policies and activities. Section 4 (1) of the Act gives Victorian workers the right to “the highest level of protection against risks to their health and safety that is reasonably practicable”. The Act (section 4 (2)) also stipulates that “persons who control or manage matters that give rise or may give rise to risks to health and safety are responsible for eliminating or reducing those risks so far as reasonably practicable.”

The Act section 7 (c) states that it is the role of WorkSafe to “monitor and enforce compliance with the Act and the regulations.”

WorkSafe, as Victoria’s OHS regulator, must have as its primary objective, ensuring that Victoria workers are in fact provided with ‘the highest level of protection that is reasonably practicable’. This has been made clear on page 2 of the Compliance and Enforcement Policy/ (Policy):

2. ROLE OF WORKSAFE (AS PART OF THE VWA)
The Victorian WorkCover Authority (VWA) is the manager and regulator of Victoria’s workplace safety system. The Authority’s overall responsibilities include:
• enforcing Victoria’s occupational health and safety laws;
• helping to prevent workplace and work-related deaths, injuries, and disease;
• providing adequate and just workplace injury insurance;
• assisting injured workers back into the workforce; and
• managing the workplace injury insurance scheme by ensuring the prompt delivery of appropriate services and by adopting prudent financial practices.

As detailed above, the current policy framework of ‘constructive compliance’ is a two sided framework. Measures to encourage compliance have merit, especially for those employers with the will as well as the means to comply. However, when employers are not providing safe and healthy workplaces, WorkSafe has a legislated mandate to “enforce compliance” with the legislation and ensure Victorian workers are working in safe and healthy conditions.

Structure of the VWA

Previously Victoria’s regulator consisted of three separate, but related, sections: prevention; compensation and rehabilitation. Each had its own tripartite ‘commission’ developing and overseeing strategy and programs. Our affiliates felt this provided the necessary degree of separation in the different roles of the regulator. This separation has been lost: the Board is now primarily concerned with the budget and the insurance scheme. Although OHSAC was established under the 2004 Act (as a result of Maxwell recommendations), this body still has a secondary role in relation to the Board. There was also concern that there is some confusion with inspectors carrying out both OHS functions and return to work functions. It is the view of VTHC and its affiliates that the three separate functions/roles of the regulator should return to being quite separate.
Workplace inspections are crucial as a means of identifying workplaces where there are hazards and risks. They are also a crucial step in seeking to eliminate those hazards and risks. More needs to be done to increase the number of inspections undertaken and strengthen the effectiveness of inspections. This is especially the case in workplaces without elected health and safety representatives.

**Infringement Notices**

Once inspections have identified breaches of the Act it is important that compliance is enforced. Penalties act to deter further non-compliance by making the cost of non-compliance exceed the cost of making workplaces safe. The use of punitive deterrents also act to discourage other workplaces from ignoring health and safety when they see other workplaces being held to account. It is accepted that not all breaches warrant progression to prosecution, however where the breach is clear there should be action taken. While both the Act and the Policy make mention to an infringement notice regime, the required regulations do not exist to allow for immediate penalties to be handed out by inspectors. This oversight must be corrected when new regulations are enacted in 2017.

**More inspectors**

VTHC applauds WorkSafe’s decision to increase the number of inspectors. The increase of 46 inspectors in 2015 and 14 inspectors in 2016 is a good start. This will allow WorkSafe to more effectively monitor Victorian workplaces. However, more inspectors are required. Victoria’s population has grown and while WorkSafe’s inspectorate did not increase until 2015. WorkSafe will only continue to fall behind if it does not have a plan to continue growing its inspectorate as the population and workforce grows.

**More workplace inspections**

The number of workplace visits carried out has dropped steadily in the past five years. In the financial year of 2010/2011 there were just over 44 000 visits carried out in Victoria. By the year 2014/15 the number of visits had dropped to just under 40 000. Victoria’s population and workforce has grown in this period. Therefore, WorkSafe is having less of a direct interaction with workplaces now than it did 5 years ago. This trend needs to be reversed and WorkSafe to increase the number of visits and workplaces inspected each year.

**Proactive/strategic inspections**

Workplace inspections should be carried out with the objective of identifying and rectifying unsafe and unhealthy workplaces. WorkSafe should be targeting inspections in workplaces that are considered high risk. High risk workplaces may be classified as such for a number of reasons.

Inspections should be targeted at employers/workplaces with an existing track record of incidents or breaches of the legislation or regulations. More inspections should also be carried out in workplaces and industries where the most common injuries occur in the largest numbers. Finally, WorkSafe has access to data demonstrating types of equipment and machinery that are involved in high numbers of incidents. WorkSafe must identify these types of equipment, the type of workplaces using them and carry out inspections to ensure employers are providing a safe workplace. If inspections uncover breaches of the act penalties must be imposed.

**Mandatory inspections**

The second type of inspections are the mandatory ones, triggered by the Act, such as in response to a disputed PIN, a cease work, a request for attendance under Section 75, a notifiable incident (and so on). How inspectors conduct themselves, how they consult with HSRs and employers, how they reach their decisions, and what follow up occurs are crucial in resolving these OHS matters satisfactorily in the workplaces they visit. A key issue raised by HSRs time and time again is that inspectors do not do enough to consult with them during the course of the inspection.

**Consistency of advice, decisions & directions**

There needs to be greater consistency of inspections and inspector findings. In section 9 of WorkSafe’s compliance and enforcement policy one of the listed principles is ‘consistency’. The policy states that a “consistent approach and enforcement policy one of the listed principles is important that compliance is enforced. Penalties act to deter further non-compliance by making the cost of non-compliance exceed the cost of making workplaces safe. The use of punitive deterrents also act to discourage other workplaces from ignoring health and safety when they see other workplaces being held to account. It is accepted that not all breaches warrant progression to prosecution, however where the breach is clear there should be action taken. While both the Act and the Policy make mention to an infringement notice regime, the required regulations do not exist to allow for immediate penalties to be handed out by inspectors. This oversight must be corrected when new regulations are enacted in 2017.

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and safety” and the WorkSafe position that it should encourage election of HSRs.

Impartiality of onsite consultation

One of the most regularly repeated complaints from HSRs (including specific comments received through our submission portal) was that WorkSafe must amend its policy to ensure that an inspector always checks information received from the company with an HSR. Too often, the WorkSafe inspector does not check the employer's version of events with the HSR. It is not enough for WorkSafe to speak once to the HSR. The HSR must be allowed to respond to the company’s position to ensure the inspector has all the relevant facts.

ENFORCEMENT

Enforcement methods

Enforcement through penalties for breaching the Act must be the primary means of achieving compliance. There has been a noticeable shift by WorkSafe towards education and methods of achieving compliance such as voluntary compliance and improvement notices. However VTHC argues that when the law is broken penalties must be applied.

WorkSafe’s current commitment of resources to encourage employers to implement health and wellbeing programmes is detracting from its ability to enforce compliance with the OHS Act. WorkSafe is the regulator for OHS and must focus on its role as the authority for ensuring compliance with the Occupational Health and Safety Act (2004). Health and wellbeing programs which concentrate on individual workers’ non-related activities/diet are not to be preferred over enforcement activity.

Penalties

Penalties must act as a genuine deterrent to unsafe and unhealthy workplaces. Furthermore they must be used as a primary measure to combat non-compliance with, or breaches of, OHS laws. If prosecution is deemed too severe to fit the nature of the breach then alternative measures must be devised that WorkSafe will actually use. VTHC is in favour of utilisation of Infringement Notices or ‘on the spot’ fines, as provided for by s139 of the Act. These notices can be thought of as penalties for misdemeanour offences like speeding fines or other traffic violations.

Prosecution frequency

Worksafe must prosecute more often to deter further breaches.

PROCESS/POLICY

Compliance versus enforcement

Too much emphasis is being placed on encouraging compliance. If OHS legislation or regulations are breached then WorkSafe must take enforcement action.

Magistrates

Magistrates and VCAT members presiding over OHS cases must have greater knowledge of OHS disputes and issues as part of a wider awareness of industrial disputes and workplace conflict. The VTHC suggests the creation of an OHS List in the Magistrates Court and at VCAT.

PINs

Inconsistencies between determinations of disputed PINs must be addressed. An inspector attending a workplace to inquire into a disputed PIN should assist the HSR in having that issue addressed. It is an unacceptable outcome for a genuine grievance to be ignored because PINs have been issued under a section of the Act that does not apply to the situation.
**DISCUSSION PAPER QUESTIONS**

**Question 1: How appropriate and relevant is the C&E policy in guiding WorkSafe’s approach to ensuring Victorian OHS laws are complied with, enforced and communicated?**

Under section 5 of WorkSafe’s C&E Policy it is clearly stated that WorkSafe is committed to the strategy of “constructive compliance” that provides a “balanced combination of positive motivators and deterrents”.

The first issue to raise here is ‘what is the appropriate balance?’. WorkSafe’s focus in recent years has been on the provision of information, education and advertising. There has been an inappropriate balance – weighing too heavily on the side of ‘positive motivators’ and not enough on deterrence.

There must be more emphasis in the C&E Policy on enforcement. The policy has too heavily prioritised voluntary compliance at the expense of inspections and enforcement of the OHS Act.

The C&E policy should have been reviewed some years ago – initially, it was intended that it be reviewed after five years (i.e. in 2010). While the content is generally acceptable, an update is necessary to address a number of issues as detailed below. Further, what can be expected from the regulator could be made clearer. Compare it, for example, to the 2011 EPA policy which sets out more clearly the processes, expectations and consequences for non-compliance. It should be noted that while the EPA also follows a ‘constructive compliance model’, it uses a full range of options including Infringement Notices, Enforceable Undertakings and prosecutions.

In addition, and perhaps more importantly, while the policy can and should be improved, the major problem with the policy, in VTHC’s view, is the lack of implementation by WorkSafe of its own policy.

Additionally, the C&E Policy unnecessarily copies and pastes sections of the Act, making it cumbersome to read.

**Question 2: How can the C&E policy be improved?**

As stated above constructive compliance is a dual headed policy framework. WorkSafe’s OHS C&E Policy provides a framework for how WorkSafe must ensure workplaces are safe. There must be more emphasis on the enforcement side and a corresponding increase in enforcement activities. Two problems exist with the policy. Firstly, some areas of the policy need to be improved or strengthened – see Table 1, below. Secondly, existing policies must be implemented. It will also be outlined below which areas of the policy are not currently being implemented.

See Table 1:

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<tr>
<td>Vision</td>
<td></td>
<td>✗</td>
<td>This statement should acknowledge that the role of WorkSafe is to make workplaces free not only from injury and illness but also, and more importantly from deaths. It should also make clear that injuries include psychological injuries.</td>
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<td>Mission</td>
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<td>✗</td>
<td>This section makes reference to the cost of workplace injury and illness to the community. VTHC represents working people. Whilst injury and illness can be measured from a perspective of economic cost VTHC highlights the human cost. Workplace deaths and injuries have a devastating impact on real people’s lives and the lives of their families and loved ones. The mission statement in the current C&amp;E policy implies that in the short term some degree of workplace fatalities and injuries are acceptable. VTHC rejects this assumption. WorkSafe must articulate that breaches of the OHS Act and workplace deaths and injuries will not be tolerated.</td>
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<tr>
<td>Principles of regulation</td>
<td>✗</td>
<td></td>
<td>This section states that WorkSafe’s decision-making process should be made “in accordance with the Authority’s policies”. Given that WorksSafe C&amp;E policies call for a balanced approach between education and enforcement methods VTHC argues that the current practices of WorkSafe are out of keeping with their policies. Processes that increase deterrence through prosecution of breaches of the act must be increased.</td>
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<td>Role of WorkSafe para 2.</td>
<td>✗</td>
<td></td>
<td>VTHC supports this section. However, WorkSafe must do more to enforce occupational health and safety laws. The focus on education and wellness programmes is an unacceptable deviation from WorkSafe's primary objectives.</td>
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<td>Section 5.1</td>
<td>✗</td>
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<td>This section highlights that constructive compliance policy is a “balanced combination of positive motivators and deterrents”[10]. The current favouring of positive motivating factors must be matched by the use of deterrence measures including penalties for breaches of the law.</td>
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| p.5 diagram | ✗ | ✗ | • Advice on how to comply – WorkSafe should include inspector kits (such as the HSE TIPs or the HaSIC[17]) on how to comply. These inspector kits should be developed in consultation with stakeholders.  
• Foster consultative relationships – WorkSafe is not doing this, it is not enforcing consultation.  
• Maintain credible risk of prosecution – WorkSafe is not doing this. With more than 20,000 injuries per year and less than 200 prosecutions per year, this means that less than 1% of accepted WorkCover claims result in a prosecution of an employer for failing to maintain a safe and healthy workplace.  
• Publish/utilise enforcement information – WorkSafe does not do this well. WorkSafe is advised to examine publication practices of the Fair Work Ombudsman and the Health and Safety Executive in the UK to improve its practice in this area.  
• “Prosecute more serious breaches”: not just about taking proportionate and meaningful action on all breaches.  
• One important objective stated here is the role of WorkSafe to “foster consultative relationships between employers and employees”. Section 35 of the Occupational Health and Safety Act (2004) outlines provisions that compel employers to consult with employees. If employers are not consulting with employees then it is up to WorkSafe to enforce consultation. VTHC wants to see consultations provisions being more strongly enforced to ensure genuine consultation takes place. |
| Section 5.2 | ✗ | | Alternative penalties – Infringement notices. Although these are in the OHS Act, they are not provided for in the Regulations. The Regulations need changing so WorkSafe can apply infringement notices. Publishing enforcement data does not happen to any meaningful extent. |
| Section 7. | ✗ | | Monitor and enforce compliance – WorkSafe needs to do more of this.  
Section 7 stipulates that prevention is the “key aim” of inspection and enforcement. VTHC supports this section, however more monitoring and enforcement needs to take place to prevent workplace injuries and fatalities. The current number of inspections and the number of breaches penalised is not indicative of a ‘key aim’. |
<p>| Sections 7.1, 7.2 | ✗ | | VTHC fully supports these sections, but they are not being implemented. |
| Section 9. | ✗ | | Clear provisions for what constitutes how penalties are deemed to be proportionate need to be outlined. While courts apply penalties in accordance with established methods, WorkSafe ought to ensure that the penalties it enforces through enforceable undertakings are in line with community expectations by creating an Enforceable Undertaking Policy in consultation with stakeholders. |</p>
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<td>Section 10(b)</td>
<td>✗</td>
<td>✗</td>
<td>In point (b) the policy outlines “high-hazard and high-risk industries and occupations” as well as “common injury types” as being the focus of strategic enforcement priorities. VTHC agrees that these are important areas for WorkSafe to be focusing on. However, in practice VTHC sees little evidence that such areas are being targeted with inspections and enforcement activities. The two biggest injury types recorded in WorkSafe data are musculo-skeletal disorders and psychological injuries. The three biggest contributors to these injury types are hazardous manual handling, stress and bullying. Both hazardous manual handling and stress require WorkSafe to address the system of work in a workplace. WorkSafe are failing in this area and must improve. The three-phase approach of raising awareness, building up knowledge and consolidating of knowledge is a drawn out process. Furthermore the policy guidelines suggest that “following completion of the initial three-phase period, an increase in inspection and enforcement may occur.” This needs to be strengthened. Inspection and compliance activities must occur after the three phase period has been concluded unless there is a legitimate justification as to why they should not. This again goes to the issue of balance. Education and compliance measures must be backed up with an equal focus on enforcement and penalties for non-compliance. Inspections and enforcement needs to take place earlier to ensure that non-compliance is deterred.</td>
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<td>Section 11</td>
<td>✗</td>
<td></td>
<td>To ensure that inspectors are there primarily to enforce compliance with the OHS Act, VTHC recommends that the second dot point beginning “provide practical, constructive advice” become the first sub-dot point under “enforce Victoria’s OHS Laws.”</td>
</tr>
</tbody>
</table>
| Section 11.2.3 | | ✗ | This section should be expanded to provide a policy position on how WorkSafe handles internal reviews. VTHC and its affiliates have 2 key concerns about the current internal review process:
1. Employers abuse the process of internal review to get extensions. The vast majority of internal review applications are requests for extensions of time. WorkSafe grant these extensions in more than 80% of cases. An improvement notice is issued where a person has breached the Act – a criminal offence. WorkSafe’s long running tendency to allow extensions of time in the vast majority of applications means that criminal breaches of the Act continue for a long time and the employer faces no penalty at all for their behaviour. This must stop and WorkSafe must support its inspectorate and HSRs by supporting the timelines they impose on employers to remedy risks in their workplaces.
2. In more than 50% of substantive matters the inspector’s decision is overturned and the notice is cancelled. This is appalling. WorkSafe should be supporting its inspectorate and when they call for a workplace to be improved, WorkSafe should support them. |
<p>| Section 13.1 | ✗ | ✗ | WorkSafe should not just be promoting effective consultation, it should be enforcing it. The Act and the supporting regulations clearly enunciate the obligation to consult. WorkSafe should be enforcing workplace consultation. |
| Section 14 | | | Currently there is insufficient discussion with HSRs and with employees before an inspector makes a decision. See Question 18 and 19 below for more information. |</p>
<table>
<thead>
<tr>
<th>REFERENCE</th>
<th>NOT IMPLEMENTED</th>
<th>NEEDS CHANGING</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 14.1</td>
<td></td>
<td>✗</td>
<td>These dot points are focused on hazards, not on other areas: i.e. consultation, denying HSRs information, etc. Inspectors should examine the whole picture about how a breach occurred rather than focussing purely on technical matters.</td>
</tr>
<tr>
<td>Section 14.2</td>
<td></td>
<td>✗</td>
<td>Add in to characteristics of duty holder how many recent workers compensation claims have been received from the company.</td>
</tr>
<tr>
<td>Section 15.1</td>
<td></td>
<td>✗</td>
<td>All instances of “Voluntary compliance” should be recorded (company name; site; specifics of breach; date; etc) and tracked. This prevents repeated breaches of the same issues by companies getting away with repeated agreement to implement voluntary compliance. HSRs need to be consulted prior to the inspector simply agreeing to voluntary compliance; and these need to be on the entry report (case study: ETU voluntary compliance on breaches of prevention of falls regulations on construction sites). Further, in the view of the VTHC, there should never be just voluntary compliance – rather, where there is a breach that is remedied in the presence of the inspector, there should also be an Infringement Notice.</td>
</tr>
<tr>
<td>Section 15.2</td>
<td></td>
<td>✗</td>
<td>More information about notices issued should be included on the entry report.</td>
</tr>
<tr>
<td>Section 15.3</td>
<td></td>
<td>✗</td>
<td>Not enough prohibition notices are issued. WorkSafe would only be too aware of the recent North Melbourne wall collapse where after a union highlighted issues with the site, WorkSafe said the site was safe and less than 24hrs later the wall collapsed. The correct response was a prohibition notice. Prevention is better than the cure, WorkSafe ought to be issuing more prohibition notices than improvement notices (which allow a breach to continue on until it is remedied).</td>
</tr>
<tr>
<td>Section 15.4</td>
<td></td>
<td>✗</td>
<td>For the transparency and accountability, oral instructions must also be documented.</td>
</tr>
</tbody>
</table>
| Section 15.5 |  | ✗ | This section needs to be improved to ensure that HSRs are adequately supported by WorkSafe through the PIN process. We recommend that:  
• An inspector work closely with an HSR to resolve a contested PIN;  
• That they will do so in a manner which recognises the power imbalance between the HSR and the company;  
• That they will do so in a manner which does not undermine the authority of the HSR. |
| Section 16. |  | ✗ | Not enough is done in this area. WorkSafe also does not discuss this regularly with its stakeholders. Employers who hold licences and who are found to breach the OHS Act should be subject to swift use of the revocation, suspension and cancellation powers that WorkSafe has. WorkSafe should also account to its stakeholders on this matter. |
| Section 17.1 |  | ✗ | Currently, there is no ability to issue infringement notices. VTHC recommends that an infringement notice regime be adopted. |
| Section 17.2 |  | ✗ | There are too many internal steps – including that the current practice is that an inspector must first make the case to a group leader, before recommending a comprehensive investigation. Need more automatic triggers. Why are not all notifiable incidents the subject of a comprehensive investigation? |
Section 18.1

There needs to be more diverse and varied prosecutions – and consultation with the social partners on target/focus areas. E.g.:  
- Observation prosecutions
- Proactive prosecutions – non implementation of regulations

Public interest – employees are the public and these laws are designed to protect them. In our view the general public interest test does not adequately reflect the interests of workers and their families.

Section 18.2

A proposed EU is considered only by an “internal panel”: only internal stakeholders evaluate the EU.

Statutory stakeholders (workers who have suffered; unions and employer groups) should have the right to provide input into an EU. There have been examples of EUs that have been unsatisfactory/puzzling (e.g. an EU agreed by DiMac Constructions Proprietary Limited in February 2016). Due to lack of fall prevention measures, a worker fell 3.3 metres. As well as addressing its systems, etc., the company undertook to donate $20,000 to the Australian Drug Foundation to develop a Tradie Trainer program.

Section 18.3

The Supplementary policy referred to here is not available (several mentioned in the C&E Policy are no longer available on the WorkSafe website). A key public policy document like the WorkSafe compliance and enforcement policy relies on references to other documents that are not available to the public, then WorkSafe is failing to be transparent and accountable to the people it is meant to protect.

Section 18.4

“OR it is not in the public interest” must be removed here. If there is a breach and there is evidence of this breach, then it is unsatisfactory that no further action is taken: in these cases the regulator must take some form of action.

Question 3: How consistent is Victoria’s C&E policy with the NC&E policy? &

Question 4: Does the Victorian policy need to be more consistent with the national policy?

The VTHC believes that rather than seeking consistency with the national policy, the Victorian Compliance and Enforcement Policy should be the leading policy in Australia and globally.

The national policy is better than the Victorian policy because it provides that when considering the “effective mix of positive motivators, compliance monitoring and deterrents to encourage and secure the highest possible levels of compliance” there is a need to “balance a number of considerations” including, and to the VTHC most importantly: “the community’s expectation that business and undertakings will be monitored and held accountable if they fail to comply with work health and safety laws” (p.2, dot point 1). This concept and wording should be adopted by WorkSafe in its compliance and enforcement policy.

Also, when a prosecution can be brought under the NC&E is broader then the Victorian C&E. Under the Victorian policy (8.1) a prosecution must be brought within two years of the offence being committed/the Authority becoming aware of the offence, excepting written authorisation of the DPP. Under section 14 of the NC&E (p11), there are also the following:

- Within one year after a coronial report was made or a coronial inquiry or inquest ended, if it appeared from the report or the proceedings at the inquiry or inquest that an offence had been committee against (this) Act
- Within six months of an contravention of an enforceable undertaking, or
- If an offence relates to reckless conduct that creates a risk of death or serious injury/illness, at any time if fresh evidence is discovered.

The Victorian C&E should be made consistent in this area with the NC&E. Section 132 of the OHS Act should be amended to ensure that Victoria adopts best practice in this area.
Question 5: How effectively is WorkSafe operating as a modern regulator?

Firstly, as noted above, WorkSafe’s primary goal as a modern regulator must be to ensure compliance with Victoria’s Act and regulations. To do this it must go back to concentrating on its remit (OHS law) and not continue to work in the areas of ‘wellness’ and ‘well-being’. These activities and programs have involved use of precious resources which should have been used elsewhere, and have detracted from WorkSafe’s effectiveness as a modern regulator.

As covered in the section on regulatory theory above, modern regulators are typically concerned with policies that both encourage compliance and deter non-compliance. This is thought to bring about optimal outcomes in terms of regulation. In this regard WorkSafe is failing as a modern regulator as it favours non-coercive compliance methods over prosecutions and other deterrence practices. At every session with its stakeholders, WorkSafe reports on the number of “voluntary compliances” achieved through inspections. Each of those “voluntary compliances” is a criminal breach of the Act that resulted in no penalty to the offending duty holder. This is an inadequate response from the regulator.

Section 5.1 of the WorkSafe C&E Policy lists as a key policy lever for encouraging OHS compliance as “effective communication and engagement with stakeholders.” WorkSafe continually falls short in this regard. WorkSafe’s engagement with stakeholders could be improved by ensuring that the development of policies, strategic plans, priorities, campaigns and so on are developed jointly with the stakeholders as nominated in the OHS Act – that is workers and their organisations and employers and their organisations. Any ‘broader’ consultation is with ‘other interested parties’ and not a legislative requirement.

WorkSafe cannot reach every workplace but employers and employees are in every workplace. Also, WorkSafe is not doing enough to communicate with HSRs and employees. Worryingly, despite it being required by internal policy, 12% of HSRs have reported that an inspector did not speak to them when responding to a contested PIN. 64% of HSRs report that the inspector failed to speak with employees and 67% of HSRs did not consider solutions proposed by the employees. 49% of HSRs state that they did not receive an Entry Report from the inspector. These statistics are a damning indication of WorkSafe’s current handling of HSRs. WorkSafe must increase its compliance with the bare minimum of its obligations to HSRs as well as improving how it supports HSRs.

Question 6: Are there areas in which WorkSafe could improve its approach as a modern regulator?

WorkSafe needs to take into account changing work patterns, increasing numbers of vulnerable workers, casual workers and short term visa holders and so on. As a modern regulator, WorkSafe needs to pick up again the work it had initiated in “emerging issues”.

WorkSafe must have a greater focus on properly planned, consulted on and agreed strategic approaches to prevention, compliance and enforcement. WorkSafe could start by:

1. Better targeting workplaces that have already injured workers for enforcement activity;  
2. Adopting an infringement notice regime to deter offending discovered during an inspection. This approach would provide a better balance to WorkSafe’s use of the constructive compliance model.

Question 7: Are there other regulatory approaches that the review should consider?

The union movement is comfortable with risk based regulation so long as it is supported by a balanced approach to constructive compliance with sufficient emphasis on enforcement. It is crucial, however, that WorkSafe provides full and real support to elected health and safety representatives in workplaces. Health and safety representatives with rights and powers to effect change in their workplaces is a fundamental feature of our risk based system. It is consistent with public policy mechanisms throughout the developed world.

Question 8: How effective is WorkSafe in applying the levers to ensure OHS laws are complied with, enforced and communicated?

The voluntary compliance regime fails to adequately deter employers from re-offending. WorkSafe is no longer feared as the tough cop on the beat. Employers know that it is highly unlikely that they will even get a slap on the wrist when WorkSafe inspects their site. Unions have reported that the same employer can get away with the same voluntary compliance on the same breaches of the Act/ regulations on multiple occasions. This has to be stamped
out. This lever is entirely ineffective for ensuring long term compliance with the OHS Laws.

Currently WorkSafe has been ineffective in using Enforceable Undertakings. Enforceable Undertakings allow for broader remedies than a court might be willing to provide for. WorkSafe should be looking to exploit the health and safety outcomes possible through Enforceable Undertakings.

For example, VTHC affiliate, the Australian Education Union (AEU) regards an Enforceable Undertaking entered into by the Department of Education and Training as a positive use of EUs which led to compliance with breaches of the Act and the regulations. Rather than prosecution over the breaches, the Department implemented state wide systems for auditing, management systems and training. In this instance, the enforceable undertakings have resulted in safer and healthier schools for Victoria. VTHC highlights the role that ongoing co-operation and consultation with the AEU assisted in the success of these enforceable undertakings.

**Worksafe Compliance & Enforcement activity – Crown in the State of Victoria - Education**

1. Department of Education & Early Childhood Development; Committed to trial – Bendigo Court — Kyneton College & Kangaroo Flat Secondary College – unguarded plant – 9/9/2008
2. Department of Education & Early Childhood Development; Lara Secondary College – Failure to instruct – 16/7/2009: $50,000 fine
3. Department of Education & Early Childhood Development; Geelong High School – asbestos exposure – 14/12/09 $10,000 fine
4. Enforceable Undertaking 1/11/13 – Asbestos (Timboon P-12, Clayton South Primary, Newlands Primary)
   **Outcome:**
   - Comprehensive & effective asbestos auditing & labelling management system implemented in all schools.
   - Comprehensive asbestos training and awareness program established

   **Outcome:**
   - Compliance audit of plant for use in wood, metal & automotive technology in secondary school sites
   - Centralised register of all plant for use in secondary school technology
   - Immediate removal of all plant identified as “not as safe as reasonably practicable”.
   - Decommissioning or repair of all plant identified as a result of the audit
   - Implementation of a comprehensive standardised OHS management system compliant to AS4801 in all schools (1650 plus sites)
   - System compliance auditing (capability building)

In the above instances, the implementation of Enforceable Undertakings was able to drive genuine improvement to the health and safety of both employers, employees and students. WorkSafe needs to investigate how provisions contained in enforceable undertakings can be better used to ensure OHS outcomes are improved.

Enforceable Undertakings must address two issues. Firstly, Enforceable Undertakings must address the issue or breach of the Act so that further incidents do not take place. The cost of making the workplace compliant should not be perceived as substitute for a penalty. Secondly, the actions prescribed by the undertaking must act as a genuine punishment and act as a deterrence to other employers. Furthermore, before agreeing to an enforceable undertaking, WorkSafe must consult with HSRs and relevant unions to determine the appropriateness of the specific EU to the workplace and employer that it applies to.

Finally, WorkSafe has a poor record of communicating its successful prosecutions and enforcement outcomes. Employers no longer see WorkSafe as a serious enforcer of the law, and many HSRs have become disillusioned with WorkSafe's ability or willingness to enforce the law and provide justice in workplaces. WorkSafe must reclaim its reputation as a serious enforcer – but it cannot be reclaimed while WorkSafe creates communication campaigns that fail to deliver the message that offending will be prosecuted.

**Question 9: Are there other approaches and/or levers that the review should consider?**

In order to enforce compliance WorkSafe needs a wider range of enforcement methods. A greater range of punitive measures should be adopted in order to have a wide range of options when deciding the appropriate penalty for breaches of the Act. Smaller penalties for less significant breaches of the Act would encourage their use by inspectors. VTHC supports the use of Infringement Notices as used by SafeWork NSW (see appendix 1) and Workplace Health and Safety Queensland.

Secondly, there needs to be a consideration of a revised civil remedy scheme. Currently an HSR in Victoria has better self-defence powers under the general protections of the Fair Work Act than they do under the Victorian OHS Act. This must be remedied. Thirdly, in NSW WorkSafe has powers to resolve right of entry disputes. VTHC recommends that in order to better support ARREO...
permit holders, WorkSafe should have expanded powers to resolve right of entry disputes.

**Question 10: How effective is WorkSafe at using data and information to target its compliance and enforcement activities to the areas of most need and effect?**

WorkSafe could be much better at using data other than compensation data to identify and target areas where compliance is lacking. The use of data is needed to identify workplaces with high rates of injury, disease and non-compliance. The regulatory theory underpinning constructive compliance is one of risk management. By identifying workplaces that have a track record of breaching the Act or have had numerous compensation claims made against it, WorkSafe could more efficiently target high risk employers.

Even where WorkSafe has used compensation statistics to prioritise areas of action, for example manual handling injuries or stress, this has not seen an increase in the number of prosecutions in these areas. Further, WorkSafe’s Injury Hotspots, which provide the general public with statistics on the frequency of types of injuries related to different industries, have not led to increased prosecutions. If a balanced approach was being used with compliance and enforcement there would have to be an increase in prosecutions to curtail these patterns of injury.

Further, over reliance on compensation data does nothing to demonstrate the need for WorkSafe to undertake compliance and enforcement activity directly related to support for and protection of HSRs and their rights and powers. Finally, heavy reliance on claims data prevents WorkSafe from targeting areas where claims go unreported.

**Question 11: Are there other sources of data and information WorkSafe could use to inform its activities?**

Various sources of data exist that could be utilised by WorkSafe to inform how it goes about achieving compliance:

- **HSRs** are an important source of data as they are immersed in workplaces and are directly involved in identifying health and safety breaches as well as implementing improvements to processes and practices. This is also the case for OHS committees which are responsible for identifying how to improve health and safety.

- The numbers and types of notices issued by inspectors also provide a good source of data for targeting employers not maintaining safe workplaces. As highlighted above an effective method of reducing workplace injuries would be through targeting ‘repeat offenders’. The use of data identifying who these employers are would be an important step in achieving compliance. Similarly, investigating workplaces with high numbers of compensation claims would also be a good way of targeting specific employers who are not complying with OHS laws.

- Proper recording and monitoring of instances of voluntary compliance, as proposed by the VTHC would also be an extremely valuable source of information.

- Notifiable incidents – currently only those reported in Safety Soapbox are published – but how are they used?

- TAC statistics – road injuries and fatalities involving work vehicles and workers should also be considered by WorkSafe. TAC statistics also provide important information for fatigue related activities.

- Unions are also a good source of data on workplace injuries and OHS incidents. Surveys of HSRs and union members provide statistics and information from a perspective of real ’shop floor’ experiences. Data provided by unions can be used to identify issues relating to HSRs that will assist WorkSafe when consulting with unions and HSRs as part of the stakeholder consultation process.

- Guidance from other jurisdictions may also prove to be a good source of data. Information provided at Safe Work Australia forums as well as state based authorities could be useful to identify industries or employers that are achieving poor outcomes in relation to health and safety.

- Emerging issues (EU Risk Observatory materials/data)

- Hospital figures

**Question 12: How effectively does WorkSafe engage and involve stakeholders such as OHSAC?**

WorkSafe’s engagement in the formal consultative forums such as OHSAC and the SRG has improved recently – however, for too long they have been forums where stakeholders were in effect informed rather than consulted. True consultation must take place at all stages of the development of any of WorkSafe’s major work activities.

New structures have been established – for example, the Interdepartmental committee – but its effectiveness will need to be monitored.

A major problem has been that projects developed by WorkSafe in consultation with tripartite working groups and initiated (in line with the strategic plan), have been
halted (under a new strategic plan) and re-started but with
different focus, or even abandoned. Or the same thing has
happened as a result of (another) WorkSafe restructure.
Often new project staff come on board resulting in a loss of
corporate knowledge. This has resulted in great frustration
from the social partners, and a feeling that we ceaseless
reinvent the wheel.

The Discussion Paper lists a number of examples of
WorkSafe’s engagement and involvement, about which
the VTHC has some comments:

- The HSR conference: the VTHC held this for the first
time last year since 2011. The process for the VTHC
has been difficult and needs to be improved.
- The WorkSafe Awards: genuine HSRs have not been
couraged to nominate after multiple problems
over several years. For example, despite this being
raised a number of times, one of the criteria is that
an HSR cannot nominate if his/her employer has
been prosecuted. Because of these problems, we
struggle to get nominations. In addition, this year,
with no consultation with stakeholders, WorkSafe has
dropped the award for the OHS Committee of the Year.
- Training for managers and supervisors: a 6 day course
was developed some time ago – what has the uptake
been? Has there been any review of success/failure?
Stakeholder groups have the potential to be of real
benefit. These groups when formed must be given time
to become established. There has been a tendency to
establish working and other consultative groups and then
abandon them before they have a chance to achieve any
real outcomes.

**Question 13: How can WorkSafe improve engagement with and involvement of stakeholders
to drive compliance and enforcement activities?**

- Stakeholders need more and better information on
what WorkSafe does in terms of compliance and
enforcement – not just ‘inspector visit’ numbers, but
a level of detail that allows the stakeholders to assess
whether WorkSafe’s actions have been adequate in
the circumstances.
- WorkSafe refers to its formal committees and
stakeholder reference groups. These have had a very
chequered history over the past few years – from
working well to working badly. Since the election of
the Labor state government and appointment of new
senior staff, things have begun to improve, but not to
the point they were.
- There must absolutely be more consultation with
and involvement of the social partners (the statutory
‘stakeholders’) in setting priorities and developing
strategies and programs to achieve outcomes at the
earliest stages.
- There needs to be more consultation with HSRs
and unions on outcomes of inspections and PINs
investigated/issued
- The lack of follow through or completion of strategic
programs to address hazards, such as manual
handling, (as discussed in Question 12) means it then
falls to inspectors to be out identifying OHS breaches
and responding to HSRs concerns.
- WorkSafe does not engage in any tripartite campaigns
to improve OHS in the workplace. WorkSafe needs
to improve how it works with employers and unions.
WorkSafe cannot be everywhere – employers and
union members are everywhere. If WorkSafe was
looking to determine how it can radically expand its
reach beyond the limitation of its inspectorate, then
it needs to begin exploring how it can “co-operate”
with its social partners to affect change in workplaces
that it would not otherwise reach.

**Question 14: How effectively does WorkSafe provide advice and information to duty holders,
consistent with the C&E policy?**

The process that WorkSafe follows to ensure compliance –
‘raise awareness’; ‘build up knowledge’; and ‘consolidate
knowledge and understanding’ is useful for raising
awareness and educating in relation to OHS matters.
However the process as it is outlined in the C&E Policy
handbook states that the process is a prerequisite before
there can be deterrence activities. This creates an issue
because the problem goes on and on and very little
deterrence activity eventuates. In fact, there are many
examples of issues getting ‘stuck’ in the early stages of the
process and never progressing. Again this is a problem
in a system that is supposed to be built on a balance of
education and deterrence.

Recently we have had issues with guidance materials
being removed or amended without consultation. An important example of this is the Inspector Handbook – a very important document for HSRs and workplaces. A badly ‘redacted’ version was about to be placed on WorkSafe website in April 2015. We are still waiting for restored and agreed version to go back up on the site over a year later.

**Question 15: How can WorkSafe improve the way it conveys advice and information to duty holders?**

VTHC would like to see better early consultation with stakeholders. Early stakeholder consultation at concept development rather than bringing us a completed concept to sign off on would benefit the quality of informational material. Advice/information provided to employers regarding their duties under the Act and Regulations must be clear, concise, unambiguous and consistent.

There must be more of an adherence by the inspectorate to the WorkSafe documents such as position statements, regulations, Section 12 Guidelines (eg on Hazard and Risks; and “Reasonably Practicable”). These guidelines exist not only to ensure HSRs and employers know where they stand; they should also be an important reference for WorkSafe inspectors and be more readily referred to by inspectors to ensure consistent and proper advice.

It is also apparent that WorkSafe could be more effective in advising and communicating with HSRs and workers. Appendix 3 provides an example of a situation where better understanding of workplace and industrial matters may have provided a better and more suitable outcome for all parties.

**Question 16: How effectively does WorkSafe promote OHS awareness?**

There is an overreliance on untargeted television advertising. Once again, before any advertising campaign gets beyond the concept stage, WorkSafe must ensure it has been consulted on with the social partners and received a ‘sign off’ prior to further development.

In general, VTHC favours increasing the number of inspections and prosecutions to deter employers from non-compliance.

**Question 17: Are there more effective approaches that should be considered?**

VTHC recommends that WorkSafe institute a name and shame policy. Naming and shaming helps promote compliance by turning a company’s desire for a good name against it. Companies need to know that if they fail to provide a safe workplace, they will be outed in the public domain. Even improvement notices and prohibition notices should also be published.

**Question 18: How effectively does WorkSafe provide support to workplace parties?**

HSRs

In preparing our submission to this review, more than 500 HSRs completed the VTHC survey. The key results are outlined overleaf:
Why did WorkSafe get involved?

- Reportable injury or incident
- Contested PIN
- Dispute resolution process
- Other

If a PIN was contentested, did the Inspector speak to the HSR who issued the PIN?

- Yes
- No

Did the Inspector speak to the workers when they visited the workplace?

- Yes
- No
Did the Inspector explore solutions proposed by the DWG?

- Yes
- No

Did the inspector give you an outcome report?

- Yes
- No

How supported by WorkSafe did you feel?
(1 = not supported at all. 5 = very supported.)

- 1
- 2
- 3
- 4
- 5
HSRs also told us why they did or did not feel supported by WorkSafe. The collated comments are in the Appendix. However here are a few from HSRs who felt they were not supported at all by the inspector/s visiting their workplace:

“Because they did not listen to the workers who were being assaulted and just accepted management’s paper trail that contained out of date and obsolete information. The inspectors were completely ill equipped to understand what they were dealing with.”

“HSR’s views were not taken seriously and were told we had no right to issue PINs for our Employer not consulting in relation to Health and Safety matters.”

“I did not even meet the Worksafe inspector, know they were attending and was not included in the inspection of the area/discussion of the outcome report”

“Inspectors did not provide policy and/or legal advice to the employer or HSR but merely cancelled the PIN. There was no discussion with the HSRs on account of the HSR working night shift neither was there any discussion with the workers. A HSR from another DWG was invited to meet with the Inspectors and managers to discuss the PIN.”

“The inspector was unaware of the WorkSafe documentation relevant to the issue. They ignored the WorkSafe documented advice. They did not provide any support to the HSR and actively supported the employer. They behaved as an employer advocate.”

“Inspectors were questioning my job description in front of managers and refused to relate to me as the elected HSR when I was sitting at the table.”

“There seemed to be no practical ways introduced to deal with employers that had no intention of doing the right thing.”

Some HSRs felt very supported by WorkSafe and are some explanations of why:

“Incredible understanding for the inappropriate workplace bullying which was occurring. Also my colleague and I felt immediately supported which allowed us to continue in the workplace whilst the dispute was being settled.”

“Put the safety of the DWG at the top of the list of priorities”

“Said to me in front of management, “if you have any issue call me”, and gave me his card.”

We would like to draw the Review’s attention to the experience of an HSR who is a teacher by trade. This HSR had two experiences with WorkSafe that demonstrate that WorkSafe fails to adequately consult with HSRs.

First experience

While WorkSafe inspectors attended the college to audit our technology areas, the HSR raised the issue that there were a number of unsuitable trolleys causing problems for teachers. At the time the inspectors were supportive and directed management to change the trolleys so they were more ergonomic.

The inspectors informed management that they would return to check that the changes had been made. It was on this return visit that the inspectors did not ask for the HSR or in this case the Deputy because the HSR was on leave. The new trolley, the inspector approved was not the one recommended by the HSR. It was the same trolley the inspector originally saw but it had been modified. The modification did not meet the needs of the staff and in fact posed a new problem of tipping over.

The HSR/Deputy did not have the opportunity to inform the inspector that only a small number of trolleys were modified and there were still a number of the original trolleys in use. So in fact they did not achieve much from this process at all. Lack of resolution resulted in an inspector visiting the school and approving the trolley the staff and HSR thought unsuitable. The inspector did not speak with either the HSR or the deputy HSR.

When I called the inspector he told me that he did not have to request/invite the HSR in his follow up. I expressed that I was under the impression that they always needed to see the HSR if they entered the workplace. He insisted that they did not. I let it go because I didn’t have anything in writing in front of me.

I did some research after the call and found that WorkSafe inspectors need to ask for the HSR when they enter a workplace.

(When the visit took place I was on leave but I expected that the deputy would be involved. The deputy was not informed of the visit.)

The HSR subsequently emailed the inspector, thanked him for his visit, explained why she and the staff had issues with the ‘approved trolley’ and then added:

“Since our conversation I have checked whether HSR/DHSHR should have been advised of a Worksafe visit and the documentation I have read advises that the HSR/DHSHR should have been advised. This may have been an oversight but I would like to request that any further visits please include an invitation for the HSR to be present.”

Second experience

An inspector visited the HSR’s school as part of WorkSafe’s current Prevention of Stress in education sector project – a project fully supported by the union. This is an extract from the inspector’s 24 May 2016 Entry Report:

Representative arrangements and consultation: 6. During today’s inspection of this workplace I enquired into employee representation and consultation arrangements. I was informed that a Health and
Safety Representative (HSR) has been elected and a committee meets regularly to discuss any issues. The HSR was not invited to participate in today’s meeting as they were teaching a class. I have advised that I can be contacted should they have any questions.

The HSR has told the VTHC through our submission portal: “I called the inspector and told her that I was very disappointed and I could not understand how she could possibly have this meeting without the perspective of the HSR/DWG.

From my perspective WorkSafe inspectors need to make appointments to ensure the HSR is there if they don’t want to take them out of class. My employer would have supported the idea of me being at the meeting.

WorkSafe inspectors need to support HSRs because HSRs work really hard to follow the correct process only to find that there are times when WorkSafe undermines their efforts by not consulting and by ticking off boxes when clearly they do not comply. This is a problem for the HSRs when they are trying to work through and improve areas of concern only to have WorkSafe say it is ok.

OHS at my workplace has improved only because we have had a change in management. They are supportive and keen to improve the OHS culture. It has nothing to do with WorkSafe.

This story is representative of a deeper frustration and anguish amongst HSRs about how WorkSafe treats them, how WorkSafe has become a rubber stamp of inappropriate employer responses, and how any improvements in OHS at workplace are not driven by WorkSafe but by union members and HSRs alone. A cursory glance through the comments included in our appendix will reveal the depth of the anger that WorkSafe currently inspires amongst HSRs. One small example will suffice here. We asked HSRs what they would do to improve WorkSafe. “Blow it the f*** up and start again.”

Our conclusion, and the conclusion that the OHS Review should reach based on the above evidence, is that WorkSafe does not adequately support HSRs.

**ARREOS**

WorkSafe fails to adequately support ARREO officials in two key ways:

1. Refusing to help an ARREO gain access to a site and having an inspector enter the site instead.
2. Refusing to assist with the resolution of a safety issue identified by an ARREO on the grounds that an “industrial” dispute is ongoing.

Our current legislation prevents ARREOs from issuing PINs or directions to cease work when they visit a workplace. This results in the absurd situation where an expert in OH&S is barred from improving health and safety in Victorian workplaces. VTHC recommends that this anomaly be rectified.

**Question 19: How can WorkSafe improve the way it provides support to workplace parties?**

**HSRs**

WorkSafe needs to recalibrate what it understands “support” for an HSR to be. Support for HSRs is not limited to the statutory obligations to speak to the HSR and provide reports to the HSR. These are statutory minimums.

VTHC recommends that the following steps be taken by WorkSafe to support HSRs:

- WorkSafe inspectors meet separately with the HSR – HSRs and unions have reported that at times inspectors arrange ‘joint’ meetings with employers and HSRs at the same time

- WorkSafe must consult more thoroughly with HSRs when attending sites to inquire into an incident, a disputed PIN or as part of strategic visits. It is particularly important that any information provided by an employer is checked with the HSR and the employees before the inspector makes a decision or other action is taken by WorkSafe.

- Part of consultation means exploring whether the HSR and the DWG they represent have solutions to the health or safety issue. WorkSafe policy must be changed to require inspectors to explore the solutions proposed by HSRs and DWGs when they are onsite.

- There is a power imbalance in the workplace between the employer and the HSR. WorkSafe must recognise this power imbalance and ensure that they do not undermine the HSR in front of the employees they represent or the employer. They must also take steps to ensure that any consultation has been genuine, that the employer has provided the appropriate information to the HSR and so on.

- WorkSafe must stop refusing to help HSRs on the basis that an issue is industrial. Workload, rosters, staffing – these can all adversely affect the health and safety of employees in the workplace and more needs to be done to help HSRs address the psychological hazards in their workplaces.

- WorkSafe must do more to protect HSRs. When HSRs are issued warnings, WorkSafe needs to thoroughly investigate to ensure that the employer is not trying to get rid of an HSR. Discrimination is often cloaked in “performance management” and WorkSafe must no longer be hoodwinked by this behaviour from employers.
• WorkSafe must do more to ensure that employers understand and comply with their duty to consult with elected HSRs as required under Sections 35 & 36 of the Act. When this has not happened, WorkSafe should use compliance and enforcement mechanisms to ensure it happens. WorkSafe should prosecute companies that fail to consult. Consultation is the bedrock of our OHS system and if it is not supported by the regulator then it will not be taken seriously by employers.

• WorkSafe must ensure that HSRs receive all relevant information pertaining to WorkSafe’s interaction in their workplace.

• WorkSafe must ensure greater consistency between Advisory and the Inspectorate and between the Inspectorate itself. We refer to our previous comments.

• More emphasis on working with the HSR to achieve compliance generally and in line with the hierarchy of control (development of inspector packs – like the UK’s HSE Topic Inspection Packs - TIPS or completion, with stakeholder input, of ISCRR’s work on HaSIC).

• Stronger support from the regulator regarding right of HSRs to attend training of their choice – and penalty/notice when an employer makes it difficult. Too often we hear that HSRs are deprived of choice and the response of WorkSafe is: “oh well, its too late to fix it now.” This an unacceptable response to a key issue. HSRs are independent representatives entitled to their choice of training. If an employer has to pay for two courses as the result of non-compliance, then so be it.

• In the past WorkSafe had a team dedicated to helping HSRs and resolving issues that HSRs were facing. The inspectors who formed the team had been HSRs before they were inspectors. This team must be re-established to provide support to HSRs in the workplace, and to act as ‘troubleshooters’. HSRs need to feel like WorkSafe has their back – a dedicated HSR team would help achieve this. We draw WorkSafe’s attention to the way an HSR felt supported when an inspector said to the HSR in front of the employer – “if you’ve got an issue, call me.” That is a shining example of what support for an HSR means. This is why WorkSafe must reinstitute a dedicated HSR team.

• The discussion paper refers to WorkSafe’s health and safety representatives’ policy statement – this is quite old and we need more than this. For example, it makes no mention of the guidance document ‘Employee representation’ – a very good document which needs better implementation. WorkSafe should consult with its statutory stakeholders and rewrite the HSR policy statement.

ARREOS

To better support ARREOS, WorkSafe must:

• Work harder to get the ARREO onto a site when an employer is hindering or obstructing their entry. This might entail a small modification to the legislation to empower WorkSafe to resolve these disputes expeditiously

• Where an egregious breach of s93 occurs, WorkSafe must enforce the law and prosecute the employers who refuse entry or intentionally hinder, obstruct or intimidate an ARREO

• WorkSafe must stop refusing to help HSRs and ARREOs on the grounds that an industrial dispute is going on. If an ARREO has a reasonable suspicion of a breach then that ARREO has a right to enter a site regardless of other surrounding circumstances. That is a right under the OHS Act – the Act that WorkSafe is required to enforce. Sitting on its hands while ARREOs can’t get entry to a site is not an option under any circumstances.

• The Review ought to examine the NSW civil remedy scheme in relation to right of entry dispute which empowers the Authority to resolve these disputes in a quick, efficient manner.

Question 20: Is WorkSafe’s inspectorate effective in detecting breaches of OHS laws and ensuring compliance with those laws?

While there is obviously a level of detection of breaches of the law, and some activity to ensure compliance, the VTHC believes there needs to be a great improvement:

• There need to be more inspections that are more thorough with better trained inspectors, and with more consistency between inspectors

• Some inspectors should be hired from OHS backgrounds including former HSRs and union officials

• More information needed not just on numbers of notices, but on what these are issued on and what the outcomes are

• The current process for an inspector to escalate to a comprehensive investigation and a possible prosecution is complex and difficult and should be both simplified and codified to ensure consistency.

• There needs to be consultation and agreement with social partners regarding the prioritising/targeting of breaches that will be prosecuted.

• Manual handling injuries and stress claims are the most common/most expensive workers’ comp claims, yet as noted above, there have been few prosecutions. How many improvement notices have been issued on these hazards? We need more notices and more
prosecutions in these areas – maybe not ‘reactive’ i.e. following injury – but proactive – for example not implementing the regulations and/or preventative measures.

• WorkSafe is not effective in even approaching compliance with duties to consult with HSRs and workers – need more prosecutions/notices. This area is notoriously badly dealt with by inspectors – we refer you to our answer to questions 18 and 19.

• As outlined in our response to Question 9, HSRs are not adequately protected by Section 76 and WorkSafe has brought only one successful prosecution against an employer who discriminated against an HSR. This is not acceptable

• The adoption of voluntary compliance practices has resulted in real issues:
  o Employers are not punished for failing to maintain a safe workplace.
  o No data is captured on voluntary compliance so that trends, employers, risks or hazards can be tracked by WorkSafe nor examined by its stakeholders.
  o One affiliate undertook its own investigation

Question 21: How can WorkSafe’s approach to inspections be improved?  

The first step that WorkSafe needs to take in the area of inspections is to recruit more inspectors with the aim of carrying out more inspections. As raised elsewhere in this submission VTHC applauds the recent increases in the number of WorkSafe inspectors as a good start. Inspectors need to be drawn from a wide range of industries and backgrounds related to OHS. In particular VTHC want to see more WorkSafe inspectors from union backgrounds and/or experience as HSRs.

The second issue is that there needs to be greater consistency in the way inspectors carry out inspections and the outcomes inspections produce. More comprehensive training may be necessary. The VTHC also supports the development of standard packs and checklists for inspectors on hazards/issue which clearly set out what is required under the law would also be desirable.

Another important area WorkSafe needs to address to improve its approach to inspections is to ensure inspectors are adequately resourced to conduct an appropriate number of appropriately thorough inspections. Inspections need to include adequate time to consultation of HSRs where so that inspectors can get a better sense of what is going on in any given workplace. Adequate resourcing must also allow follow up visits to be carried out ensure compliance has been achieved.

Finally, inspectors need to be empowered to deliver a punitive response to criminal breaches of the OHS Act while out onsite. The C&E Policy refers to infringement notice and VTHC supports the introduction of an infringement notice regime in Victoria.

Question 22: Are there other approaches to enforcement that the review should consider?

As mentioned above more inspections of workplaces that are ‘repeat offenders’ would be an effective way of significantly reducing workplace injuries. WorkSafe implemented a “Focus 100” program some years ago that targeted the state’s worst 100 performing organisations, based on compensation statistics. How successful was it? What were the outcomes? This approach may represent a more efficient way of allocating resources including inspectors.

Through gathering data from insurance claims, Improvement Notices, Prohibition Notices and recorded instances of voluntary compliance lodged WorkSafe could identify and target problem workplaces enforcing compliance and reducing health and safety risks.

VTHC is very much in favour of WorkSafe inspectors being able to issue Infringement notices for a wider range of offences. These would be something along the line of ‘on the spot’ fines issued by the NSW and Queensland authorities. The rationale behind the use of infringement notices are that they are proportional, more likely to be used by inspectors than prosecution and, if handed out more often, provide a genuine deterrence to employers.
Finally, WorkSafe ought to adopt a name and shame approach to an employer that is found to have breached the OHS Act.

**Question 23: How effective is WorkSafe in applying enforcement measures to deter non-compliance with Victoria’s OHS laws?**

It should be clear from the submission so far, this is the area in most need of attention. The C&E Policy is generally adequate but WorkSafe’s implementation of the policy is not. The first step is the need to identify non-compliance better by increasing the number of inspections of a higher quality and consistency.

WorkSafe must also pursue more prosecutions. As is stated in the compliance and enforcement policy, prosecution is a “key” to preventing breaches of the OHS Act and regulations and, by extension, injuries and fatalities. As outlined above, from more than 25,000 accepted worker’s compensation claims per annum, WorkSafe will only manage to prosecute in approximately 200 cases – less than 1% of accepted claims. More prosecutions would be an important step in deterring future non-compliance. Furthermore, WorkSafe could take more measures that are punitive if they had measures that did not involve formal prosecutions such as infringement notices.

HSRs and workers believe that if an employer is caught breaching the Act or regulations, this is a crime and there will be punishment – what they expect if, for example, someone is caught stealing, or speeding. Unfortunately, this is not the case and too often they see employers getting off without sanction – despite requests from HSRs, PINs and notices. This is not acceptable. There is not enough deterrence.

**Question 24: How effective is WorkSafe at promoting its enforcement outcomes for prevention purposes?**

Currently the mix of encouragement and enforcement is too focused on information and education. This comes at the expense of enforcement measures. The VTHC again stresses that not enough is done in terms of compliance and enforcement: the number of inspections and the prosecutions or other enforcement measures that should follow inspections. An increase in inspections undertaken and an improvement in these inspections would serve as a means of promoting compliance simply by making employers fear they may be inspected at any time.

Further to the above it is noted that outcomes of WorkSafe prosecutions are not adequately publicised. Media releases are often issued too late and are not well publicised. Prosecution outcomes on the WorkSafe website are often poorly and inconsistently written. Sometimes there are long delays before they go on website. VTHC would like to see opportunities to publicise these through industry bodies and unions investigated and maximised.

Publishing prosecutions not only educates but has the function of ‘naming and shaming’ of employers who break the law. To bury lists of prosecutions on the website defeats the purpose of publishing them. VTHC would like to see prosecutions more prominently displayed on the WorkSafe website as well as them being circulated to employers and unions. Media releases with prosecution outcomes would also be an effective way to increase awareness of breaches of the Occupational Health and Safety Act (2004) and recalcitrant employers.

**Question 25: How can WorkSafe’s strategic approach to enforcement measures be improved?**

Firstly, WorkSafe needs to consult early with its stakeholders about what its strategic priorities should be. Too often a chart is put in front of stakeholders and we are told “these are our strategic priorities”. This means that WorkSafe fails to take into account the views of industry and employees when forming its strategic priorities.

Another key issue is that WorkSafe’s strategic priorities look similar from year to year. Manual handling and musculoskeletal disorders along with psychological hazards remain key priorities each year. WorkSafe needs to develop the ability to influence the system of work in a workplace. There is no point creating a strategic priority if it cannot effect changes in the workplace structures causing the problems.

**Question 26: Are there any impediments to WorkSafe applying its enforcement measures?**

Other than an apparent unwillingness to implement its own C&E Policy, VTHC sees a number of impediments to WorkSafe’s ability to apply enforcement measures. These are:

- the decreasing number of inspections. As has already stated, inspections are WorkSafe’s opportunity to uncover or investigate breaches of OHS laws and identify remedies and penalties. In order to apply enforcement measures more inspections need to be undertaken.
- Insufficient numbers of inspectors.
- Inadequate internal support for inspectors: training;
empowerment; resources.

- A lack of enforcement measures including fines and other measures (such as Infringement notices) that do not require prosecution. Such measures for breaches of OHS laws where the outcomes are less serious than injury or fatality would increase the number of sanctions being imposed. By the use of sanctions for less serious breaches of the Act it would be expected that basic provisions of the Act could be better enforced and prosecuted. Issues such as the duty to consult and the right of entry for ARREOs if properly enforced would lead to better outcomes in OHS by allowing HSRs and workers more input into identifying and eliminating workplace hazards.

- Lack of adequate resources to prosecute more cases. In the past, following fatalities or major incidents, special inspections/inspectors attended the worksite with a specific view to gathering evidence in the event that there would be a prosecution. This process should be re-instated.

- A failure to take advantage of when WorkSafe has really good evidence before it already. In one instance, ARREOs were being refused entry and three inspectors were present to witness this refusal. This occurred earlier this year and as yet no prosecution has occurred. Given the level of evidence available to it on the day of such an event occurring, it is concerning to VTHC that WorkSafe has not been able to get the matter into court.

- The criteria that WorkSafe uses to establish whether or not it prosecutes a case need to be amended (as outlined under Qu 1 & 2) and be more consistently and transparently applied. There must to be more consultation with stakeholders regarding what cases WorkSafe prosecutes, who is prosecuted and why (why not).

**Question 27: How can WorkSafe’s approach to working with other agencies be improved?**

WorkSafe should assist other agencies involved in the enforcement process such as magistrates and VCAT to be more aware of the issues and problems related to unsafe workplaces that are breaking the law.

Reviewing memorandums of understandings that WorkSafe have with Police and EPA (for example) may also be useful. Reviewing how they are working and if they are effective in achieving good outcomes may lead to improvements in how WorkSafe coordinates with other agencies.

**Question 28: Are there other future challenges that will affect WorkSafe’s ability to ensure that OHS laws are complied with, enforced and communicated?**

As new technology evolves and workplace practices change both OHS legislation and C&E Policy will need to evolve to match. Another challenge for WorkSafe in the future will be the ongoing casualisation and precariousness of employment. Precarious work is an increasingly significant feature of today’s industrial landscape.

Over the past four or five decades there has been an increase in the number of permanent casuals, fixed term contracts and sham contracts. VTHC reject the use of precarious employment practices. However, these workers must enjoy the same protections as regular employees. Particularly, workers engaged in sham contract arrangements should enjoy the protection of section 4 (1) Occupational Health and Safety Act 2004 and should not be subjected to the level of duty laid out in section 4 (2) and (3).

Other challenges that might impact WorkSafe’s ability to ensure OHS legislation is complied with are cuts to funding or watering down of OHS legislation. VTHC will always stand against government interventions that diminish worker OHS standards.
NOTES

26 VTHC (2016)" HSR Submission Portal: Results”
27 WorkSafe developed criteria and proposed an ‘Emerging Issue Program’ to the SRG in May 2008. Such work is continuing in the EU through the EU-OSHA European Risk Observatory program https://osha.europa.eu/en/about-eu-osa/what-we-do/european-risk-observatory
28 OHS Act s7(1)(e)(ii)
29 The Deterrent Effects of OHS Enforcement A Review of the Literature, p. 41.
34 ABS 1, “Forms of Employment”, November 2011 Cat 6359.0
In your own words can you describe your experience with WorkSafe?

<table>
<thead>
<tr>
<th>A lack of help when being bullied just for the sake of saving money</th>
<th>A little intimidating because but overall ok</th>
</tr>
</thead>
<tbody>
<tr>
<td>A little positive and negative</td>
<td>Absolutely hopeless to very good.</td>
</tr>
<tr>
<td>Addressing reports of bullying in the workplace, inspector attended site</td>
<td>All good</td>
</tr>
<tr>
<td>As a SAFETY REP I issued PIN notifications to my work place as a result of continues management negligence and discriminated by my work place and WorkSafe when the work place suspended me because issued PIN notification act 76. All the 100% evidence given in writing and in person was grossly ignored by this WorkSafe unfair system and people working for this system completely ignoring fairness and safety work related issues protecting the company who serves them lunches each time they coming to visit the work place. I Did not get any respect for my hard work from this WorkSafe institution more over got discriminated because they cover up for the company bad buying behaviour for years facts and proved evidence. WorkSafe clearly is allowing and encouraging workplace bullying and potentially losing my life (being too close of ending my life because of this inhuman unfair bureaucratic WorkSafe system. Because of the ignorance they give to safety Reps in the work place being exposed to overwhelming pressure from bullying management. Asking me to go to court and not being able to pay for lawyers expenses. This system is corrupt not serving the workers basic safety protection on the work place. WorkSafe choose to go my work place and speak with bullying management not with the bosses in charge of this bully's HR and manager who actually bully me at work. Did not speak or contact the head office of my company to address this issues. But spoke directly with perpetrators, making mockery of fair investigations to my work place, hopefully the government will take steps and fixing this corrupt system, making safety at work fair for all the workers. Thanks for making this happen. Kind regards, Dave</td>
<td></td>
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<tr>
<td>AS a health and safety rep, inspectors came to my workplace and didn’t contact me until after they has spoken to my manager. When I got to talk to the inspector he had made up his mind and wouldn’t listen to me.</td>
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<tr>
<td>As a traffic controller who experiences dangerous drivers, often drunk and travelling through restricted zones at speeds, on a daily basis, I have yet to see a WorkSafe inspector on sites. As far as my safety is concerned, WorkSafe is a waste of money.</td>
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<tr>
<td>As I have already stated insurance companies should not be involved in the dealings of injured workers, unions should be. Until a specialised panel or board is set up workers are going to be screwed and abused by insurance companies and employers who work together with no other objective than to keep costs down. So much for &quot;when it comes to OHS cost does not matter&quot;. Too much company/government slogan bullshit not enough protection for hurt, injured and disfigured workers.</td>
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<tr>
<td>As opposed to construction my work place has had only 2 inspections from WorkSafe in the past 3 years. On a number occasions I have emailed WorkSafe via the reps site seeking advice, while the response came back quickly I may as well have gone straight to the Act. A HSR should be able to get clear advice from the governing body</td>
<td></td>
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<tr>
<td>A request for an inspection at unresolved resolution issue Occurred at work place</td>
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<tr>
<td>Audits, not as intimidating as one might think.</td>
<td></td>
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<tr>
<td>Average</td>
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<tr>
<td>BAD. Called up work safe on a job out in sticks and they phoned me back 4 days later to ask what the problem was I told them and the response was we will look in to that and then another 2 weeks went by and they showed up and said&quot; we've had calls about safety on job.&quot; But an ever changing construction site and that particular issue was gone and heaps of other breaches were present and nothing was said or done about it.</td>
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<tr>
<td>Basic</td>
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<tr>
<td>Been ok for me, although, during visits it would be great if they looked at the whole job, instead of just the item at hand. I would also like random visits.</td>
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<tr>
<td>Besides my training I haven’t had anything to do with WorkSafe, as yet. We are due for an inspection and I’m not sure what to expect.</td>
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<tr>
<td>Brief</td>
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<tr>
<td>Called for a work safe inspector to inspect site and never showed up</td>
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<tr>
<td>Came on site over a few issue and put PIN notice on the company it made them take notice then</td>
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<tr>
<td>Come and go don’t talk the workers who really matter on their safety</td>
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<tr>
<td>Confusing</td>
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<tr>
<td>Dealt with in relation to work place deaths on a number of occasions. Work place inspection as a result of a PIN</td>
<td></td>
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<tr>
<td>Dealt with them once after an incident and found the WorkSafe officer to be helpful</td>
<td></td>
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<tr>
<td>Despite the employer failing to meet their obligations, WorkSafe did not prosecute or even force change</td>
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<tr>
<td>Did nothing</td>
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<tr>
<td>Difficult</td>
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<tr>
<td>Difficult to get any traction. Everything brought up gets triaged. Almost anything proactive gets ignored. Complaints get discussed at a higher level people bringing complaints forward has been futile in my experience.</td>
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<tr>
<td>Disgraceful, putting employees lives at risk and taking side with the employer</td>
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<tr>
<td>Doesn't matter after all this time did little or nothing</td>
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<tr>
<td>Effective in assisting where 'agreed procedures were not followed in regard to consultation' ineffective in backing HSRs /workers to cease unsafe work.</td>
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<tr>
<td>Entirely positive. Phone calls for information have always been politely and positively responded to.</td>
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<tr>
<td>Equality</td>
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<tr>
<td>Excellent</td>
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<tr>
<td>Excellent case studies and reports.</td>
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<tr>
<td>Experienced workplace bullying and resultant depression but the need to specify an incident time/date is not appropriate with this as things build up and impact over time - often a few years. This need to designate a date and specific incident is a disincentive to report.</td>
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<tr>
<td>Fair</td>
<td></td>
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<tr>
<td>Fantastic. Had an ohs audit completed.</td>
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<tr>
<td>Following a notifiable injury, WorkSafe attended the site.</td>
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<td>Frosty at first then ok</td>
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<tr>
<td>FRUSTATING</td>
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<tr>
<td>General phone enquiry which was helpful and informative</td>
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<td>I get the feeling they are not the workers friend, don’t challenge or question on job procedure. Don’t see them unless there is an accident, especially when someone is injured. Never seen them been proactive on commercial building sites.</td>
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<tr>
<td>Good</td>
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<tr>
<td>Good</td>
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<tr>
<td>Good blokes</td>
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<tr>
<td>Had none yet.</td>
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<tr>
<td>Hard but fair</td>
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<tr>
<td>Has been ok, but there have been times were they did not consult with HSRS when on site or the workers and based their information solely on information provided by management</td>
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<tr>
<td>Have had different and contradicting interpretation with handout published on website and information we use to keep our members safe re: Manual Handling.</td>
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<tr>
<td>Have had positive experience</td>
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<tr>
<td>Have not had any experience with WorkSafe other than one or 2 workplace inspections in the not too recent past, I but came close to issuing a PIN earlier this year and felt unsure about the process and what happens after a PIN is issued. received advice and support from the AEU</td>
<td></td>
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<tr>
<td>Have only had to deal with WorkSafe on one occasion and found the inspector to be very professional and understanding.</td>
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<tr>
<td>HAVEN'T INDIVIDUALLY BEEN INVOLVED WITH WORKSAFE</td>
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<tr>
<td>Haven't had any experience with them yet</td>
<td></td>
</tr>
<tr>
<td>Haven't had much to do with them as I am new to being an HSR</td>
<td></td>
</tr>
</tbody>
</table>
Haven't had much to do with Work Safe. But know where to contact them if need arises.

Helpful

Helpful and informative

helpful, supportive

I am thankful and grateful for the ongoing programmes and training being presently implemented but greater resources and reinforcing of HSR roles and rights needs to be ratified, endorsed and supported by all. Employers, employees and government.

I am the Science Lab Manager & due to the design of the Lab there were - I have got them fixed now through shear perseverance - that I expected the WS Inspector to pick up and at least make comment on. That did not happen on at least 2 inspections by different Inspectors.

I believe WorkSafe to be under funded and always takes the bosses side over HSR issues.

I called WorkSafe they arrived quickly, the problem was solved

I called WorkSafe to site because of unsafe usage of mobile plant.

I dealt with WorkSafe as a trainer and assessor for an RTO that had been dealt three prohibition notices, one for each year three years consecutively, and WorkSafe had not followed through with those prohibition notices allowing the Licenced Assessor, who was in breach of their Conditions of Authorisation, to continue to operate. This allowed for corruption of the National Standards for Assessors and a diminishing of quality and safety of those successfully obtaining their licences and the flooding of the marketplace of under-qualified HRWL holders, increasing danger to those working in the construction industry. My viewpoint is now this, that WorkSafe are toothless wolves mired down in bureaucracy and without sufficient resources to penalise companies not adhering to legal obligations. Further to this, I would personally like to become an inspector, with 16 years construction industry experience, to bring companies not meeting their legal obligations into line and to expand the pool of knowledge and experience of WorkSafe Victoria.

I don't think the inspector was really interested in my side of the story

I feel that WorkSafe do not always listen to the HSR after a PIN has been put in they tend to only deal with management

I find it very frustrating that plant machinery fails and inspectors ask the company to investigate and tell us your findings....

I find that WorkSafe has adopted an enforcement philosophy that focuses on advice rather than prosecution.

I find work safe not interested in coming to site until trouble has happened I think WorkSafe reacts and does not be pre-emptive in safety when I ring with a query about crane safety they do not know the answer WorkSafe could improve enormously by having real working people with real industry experience

I found when WorkSafe attended the worksite, the builder would ask who rang, and they were willing to pass on this information which is highly unethical/unprofessional.

I had full support from them without any incidents on the job

I have asked for support and got very little, particularly in light of significant issues within my place of employment. These are ongoing and are related to psychological issues, verbal and physical aggression. All raised with WorkSafe and all swept under a carpet of too hard, or not able to support.

I have been ask by one of inspector about the safety of the company

I have called WorkSafe on 3 separate occasions to attend site for various reasons. Once you rang me back to say that no one could attend site at that time. The other times no follow up communication was received at all. That is disappointing given the fact that no support was given to my concerns.

I have dealt with WorkSafe on a few issues. On non-compliance of PIN and different safety issues which I needed advice on found them on all occasions to be very helpful and up-coming with advice.

I have found WorkSafe to be a great resource as an HSR

I have had limited dealings with WorkSafe, the times when an officer has visited site has been at my request and I have found them helpful in dealing with the issues at hand.

I have had little to do with WorkSafe

I have had many dealings with WorkSafe inspectors and I cannot fault their professional approach, clear explanations of the act, helpful advice to keep my site safe.
I have had no experience with WorkSafe yet. I have had the backing on one site with WorkSafe in regards to an unsafe scaffold that was closed down due to non-compliance.

I have issues with WorkSafe attending a workplace which has issues raised and not contacting the person who made the call to see if they are going to be on shift when they attend. There may be only once a day for a few hours an issues may occur e.g. midnight to 6am, but unless the inspectors visit during this time, to see unsafe work practice or talk to staff involved. If there is an HSR do they work in this section or even at this time? WorkSafe needs to be visible to the workplace when contact to their hotline for help goes in.

I have not had anything to do with them. I have not been on site when they have attended. I have received their reports which are very detailed.

I have seen a lot of WorkSafe workers coming in the company asking the supervisor rather than the employees. In order to know that employees’ rights are protected, the need to create a strong relationship between the WorkSafe worker and the employees. Based on this practice, they will get to know the story of the supervisors and not the employees.

I have used the WorkSafe help line and have met inspectors after a PIN has been issued and the employer has challenged it.

On several occasions the inspector has not inform me "HSR" of their presence at my workplace and worst still have taken the word of management without speaking to the elected HSR. WorkSafe Bullying unit contacted a worker who was in her view was being bullied. They didn’t even bother to speak to me over a physical contact between the HR manager and the worker. I was a witness to the incident.

I think that OHS rep training should be more industry specific. It should be easier for trade unions and alike unions to train their reps, even if that means on site or in a trade union office.

I think WorkSafe does not take its responsibilities seriously.

I want to let WorkSafe know that there are lots of African-Australians working in the workforce in Australia and they can't speak English very well. So we need some Australian-Africans to work in the WorkSafe department to be able to protect rights as employees. I have completed my certificate in WorkSafe and try to work with safety department and there is no help for me. There are a lot of supervisors out there taking advantage on new employees and WorkSafe need a strong team let African-Australian health and safety reps to work with them and make sure that all employee's rights are protected. I am not saying this because I need a job with WorkSafe. I'm saying this because I have seen supervisors take advantage with my own eye.

I was bullied by a work supervisor and the employer bluffed WorkSafe and I was then discriminated against by the employer and had no job.

I was lucky to have a great inspector come out after an incident.

I was visiting a worksite as an ARREO. The employer contested and so a WorkSafe inspector had to attend. The inspector spent upwards of two hours speaking to management and by the time we were allowed in the workers had gone home. The inspector said we had to be more specific with the safety issue we were there to inspect, but to be more specific we would have made who had tipped us off obvious. We weren't going to out the member who had tipped us off because we know he would have lost his job.

I'm a union official. I attempted to get assistance for a member who was assaulted by her HR manager. WorkSafe response; it's not bullying because it was a one off event, contact the police.

HSRs at another site tried to get assistance from WorkSafe because they are continually exposed to smoke and fumes from hot oil. Some require medical treatment for eye irritation, some have developed pneumonia, WorkSafe response was to attend the site 3 days later when the fumes were under control, conduct air monitoring and conclude there was no problem.

In most cases HSRs in Ballarat won't waste their time trying to get assistance from WorkSafe.

In all my years of working the only time I ever saw an inspector walk onto a worksite was when I borrowed some equipment from work to help my dad clean up after the black Saturday bushfires. WorkSafe doesn't seem to have enough power to enforce OHS laws. Big business is wining the fight against workers safety and getting away with it. I have worked in places that will do almost anything to stop people either getting on work cover or calling WorkSafe. WorkSafe need to conduct more random inspections and not be afraid to lay down the law to the big corporations.

In my experience no follow up.
In my experience on construction sites they are intimated by companies and construction programs. That's the core of the problem where accidents happen and being controlled by Fair Work and Turnbull's legislation instead of looking at the problem. Have the balls to stop and fix the problem before it happens.

In my opinion WorkSafe spent too much time chasing the Ambulance after an event. If they had have been more pro-active with real issues and concentrated on preventing the root causes of non-compliance, especially in the mobile crane industry, I would have stayed.

In recent times my interaction with WorkSafe has shown me that these inspectors are not from the building industry, lack the knowledge and experience to ID issues and the go soft attitude a lot of the inspectors seem to have.

In regard to an incident through injury - WorkSafe Officer was fantastic in supporting me and my colleague. I was supported emotionally and professionally allowing me to proceed and offer support to my colleague.

In situations I've been involved with I would say mostly pleasant, however, one inspector I encountered didn't appear particularly interested in the matter they were there to inspect & discuss.

In the limited times I've had with one on one with WorkSafe I've found them to be cooperative and understanding with the issues discussed at hand.

In the west was great always get support or advice but now on the other side of town incidents did occur in the workplace, environment that lends itself to have things occur given the type of clients we have. WorkSafe came in and dealt with it but very little consultation with the HSR. There was an assault on a staff member by a client, WorkSafe came in and looked at the roster, identified gaps and now two people have to be on at all times. Client was moved because of pattern of behaviour and amount of episodes.

Informative and positive

In initially support is afforded but then thy become hard to chase and follow up on existing issues

Inspector attended to school to evaluate an area of the school where a student was injured

Inspector came on job site asking questions that was not relevant to the job that was carried out.

Inspectors are generally really good. But there is varied approaches that I think tarnish the good reputation most inspectors have.

Inspectors do not have authority to inspect various documentation that may incriminate specific employers who are in clear breach of The OH&S Act 2004. Confidentiality laws render WorkSafe a toothless tiger; except when there is a fatality in the workplace.

Furthermore, as a part time employee, I wasn't permitted (by employer) to enter my workplace unless I was on shift.

Inspectors have been supportive in some areas, but probably need more people with construction experience.

Inspectors were rude and intimidating, they knew very little about what they were dealing with. Their knowledge felt like it extended as far as test and tag and scaffold tagging, and nothing else. Work safe overlooking things lead to a major accident on site because they allowed the builder to continue their practices

Inspectors with very little construction experience and lack of understanding of how fast things can go wrong. Very quick to overrule union safety.

Interesting

Issued a pin on drinking water. PIN was withdrawn and the company fixed the water problem.

It is very important to make regular site inspections and auditing as many companies ignore many safety issues because it may cost money for them.

It was an experience to see how work safe identified safety concerns they had of the job I was on and how work issues can be resolved and other safe work practices can be implemented into the scope of work being performed.

It was good work safe was supportive

It was many years ago but I received assistance with a back injury at work

I've had both good and bad experiences with WorkSafe, the bad being recent, to me it seems like as soon as you get a decent inspector he gets poached by one of the big companies

I've only had one experience and he was very professional, helpful and approachable.

Just logging work safe issue online. Not much else.

I have not dealt with WorkSafe yet
Lack of acknowledgment to CFMEU ohs/HSR reps over company reps in respect of qualifications i.e. Level 4

Large companies have employed people to deliberately manipulate an inspector view of the companies’ commitment to safety. An inspector will readily seek that person and accept what they say without hesitation. The inspector will not attempt to seek an opinion as to the validity of company information from any other person or Union that may have contradictory information. My real life example being, if the company says a HSR is not available then that is accepted and no contact is made with the workgroup despite a HSR or three being available.

Lazy and shoddy

Licensed asbestos removals, deal with WorkSafe all the time.

Logical and easy to talk to

Mainly at industrial accidents.

Manipulation by employer of system to harass claimant

Minimal

Minimal interaction over the years. When I have needed them to attend jobs they have been unavailable

Minimal. Occasional (twice) have rung for information. Don’t see the very often at work. I do know they have visited the hospital as it has been reported at the OH&S committee.

My experience has been mostly negative and find WorkSafe Inspectors findings and advice differs greatly from advice given from the advisory telephone service. I have even informed WorkSafe that our site would not be dealing with a certain Inspector who only saw the employer’s side and was obviously biased.

My experience Inspectors chose when to support the elected HSRs. WorkSafe Inspectors don’t encourage employers to engage constructively and proactively with HSRs.

My experience with has be positive but I only see WorkSafe after incident

My experience with work safe has been excellent & find them helpful & pleasant to talk too.

My experience with WorkSafe has been positive. My workplace had notification that our local WorkSafe Officer was going to undertake an informal walk through our facility so I requested to be present.

The officer involved me in all discussions and frequently asked for my input. When asked if I had any safety concerns these were discussed with our manager and suggestions were made to improve or rectify the issues within a reasonable time frame.

The respect given to me by the Officer reinforced the importance of my role as HSR to not only me but my manager too.

My experience with WorkSafe was confusing. When you speak to the help desk they say one thing, when the inspector arrives he/she will say completely the opposite.

My husband has been injured at work and he was not supported positively at all to get back to work by either the School or the Work safe manager.

my working environment is not safe, to many safe hazards involved

N/a

N/A

Need greater presence to prevent incidents

Need to be more focussed on the real culture and pressure that employers put on employees. The employers who have tendencies to preach and sign off on safety then prejudice any employee who acts with safety first and company productivity second. I have seen WorkSafe inspectors only briefly investigate issues on sites and tend to take the word of those overseeing there project and not look at the culture of why it occurred initially at all. Inspectors need a swat team to attend reported breaches by anyone on sites as they are reported. To identify more issues quickly before they become future injuries or sites cover up.

Never had one they have been in the workplace several times

Never see them , just meet with hr and he bullshits them to making them think problems fixed and all okay

Never seen them at my current workplace

Never there when needed on safety issues
Nil

No experience dealing with WorkSafe yet.

No experience, I have never seen them even though accidents have happened ending in hospital/doctor involvement.

No involvement with last work site inspections.

No support

None at all.

noise problem

Non-existent. Years ago, I found out after the fact that a WorkSafe inspector attended my workplace but I was not included in the meeting; instead the OHS consultant from the OHS department at our university attended. On a personal experience, my son had an accident at his workplace but I was not included in the meeting; instead the OHS consultant from the OHS department at our university attended. WorkSafe gave him advice but when they visited his employer, they did not check out the SOP/JSA associated with the equipment that caused my son’s injury. This was very disappointing. WorkSafe could have done so but did not follow through. His supervisor failed in his duty of care to the worker and so did the employer - a huge national company.

Not a lot.

Not all WorkSafe officers are the same but I think there is inconsistency. My dealings with WorkSafe show that they are very inexperienced in their field (construction). One particular time WorkSafe came out for a visit, we went for a walk around site, I pointed out a few issues of concern I had and basically it was brushed of like he didn’t want to get involved. WorkSafe went back to his car, did his report and said that everything seemed ok. What a joke.

Not bad

Not dealt a lot with WorkSafe but when I have it has been good.

not enough site visits

Not great

Nothing gets fixed properly until someone nearly gets hurt or it starts to affect the quality of the lamb.

Not helpful

Not knowledgeable about the workplace being inspected

Not many construction experienced inspectors left

not much

Not pro-active

Reactive after the event.

Seem to hesitate to prosecute any company for major safety breaches??

To prosecute Essendon football club yet nothing seems to happen to company’s putting workers at risk day after day!!!????

Not responsive

Not strict enough

Not that good

Not too bad overall

Not very supportive, they are on the side of the employers

ok but they do not make the companies accountable

On a personal level - I am currently on leave due to stress in the workplace. My stress is the result of continual bullying and harassment from leadership, some of which occurred in my role as OHS staff rep.

On a work level - when the school was reviewed by WorkSafe, the school employed someone to do all the paperwork and as the staff rep, I had no idea what was going on. The WorkSafe ‘inspector’ was quite casual in her approach and the school ‘passed’.

On a pro build job the fly jib collapsed when WorkSafe turned up they were more interested in making sure the HSR’s paperwork was up to date than finding out what happened and how to avoid it from happening again it was left up the union to put actions in place to rectify the problem.
Also their seemed to be more WorkSafe inspectors onsite than needed most were just standing around drinking coffee while the investigation was happening with them always complaining how understaffed they were the extra inspectors would be of more use elsewhere

On numerous sites, many inspections, always necessary. WorkSafe inspections are absolutely essential and are always a positive.

On our site inspectors are introduced to company favourable HSRs

One of the inspectors that I had to deal with seemed to have an incorrect grasp of the issues affecting the site and then seemed to go on a rampage. My engineer commented that what I had done was perfectly acceptable but that WorkSafe didn’t understand what they were looking at and in order to make the issue go away (site shut down) that I should just do what they asked and install unnecessary equipment to keep them happy. The scaffolding was shut down over an issue and I know of two other projects that were standing at the time that where built in exactly the same way. These jobs were large scale highly visible projects and WorkSafe didn’t go anywhere near them. The inspector in question has since retired.

Only ever met 1 inspector when they audited our company which is self-insured

Pallets from DC are stacked well above shoulder height unless we have giants working at DC

past dealings always good

Pathetic

Poor

Poor with almost no support from them

Positive

Positive

Ratshit. Don’t make it easy. Always think you’re lying.

Seems that union ARREOs are not taken seriously enough by WorkSafe, & treat them unfairly. WorkSafe need to prosecute the bigger construction companies for unsafe work practices instead of just slapping them on the wrist.

Shit hopeless and no support

Shocking the inspectors help big business well before the worker

Slings broke on a ship we were working on. WorkSafe were called and a PIN resulted. To work thru the issues WorkSafe formed a group that included shipping company, stevedoring company, HSRs and WorkSafe specialists to our industry.

some are great... but I feel then need to make company / mangers understand that safety should out way cost

Some good and some not too good with Inspectors trying to take the easy path.

Some inspectors are ok some are not helpful need more consistency

Sporadic

Supportive and good advice

Supportive of HSR's if they feel the issue is relevant. Usually resolve the issues fairly quick and fairly.

Talked to WorkSafe on the phone, some info was helpful.

Terrible. Worst experience of my life. They are s waste of time. Never reply to missed calls/emails. Won’t help u. Be easier and quicker to fix my injury with a bullet then waiting for them.

test

The company I work for seemed to have prior notice that WorkSafe were coming and put on a nice show that day.

The company when meeting with WorkSafe do not make sure shift work HSRs are available or give enough notice for shift worker HSRs to attend. You could say once is an oversight but a continued lack of shift worker attendants is suspicious and at least convenient for the company. The fact that we are a hazards facility should raise some questions

The experience was fine well explained and straight forward

The experiences have been great. It’s the under informed and educated in how to be an active rep
<table>
<thead>
<tr>
<th>Statement</th>
<th>Evaluation</th>
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<tbody>
<tr>
<td>The inspector had a soft view on what immediate risk is. Lifting heavy</td>
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<tr>
<td>things in a vulnerable position can lead to a serious back injury but</td>
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<tr>
<td>inspectors say it’s not an immediate threat to Health and Safety</td>
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<tr>
<td>Their response is to issue a PIN notice and deal with the consequences</td>
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<tr>
<td>later, even if it is not an issue that requires a PIN. Easy for them to</td>
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<tr>
<td>say when their job is not on the line</td>
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<tr>
<td>There are not enough WorkSafe staff to go around when you need them</td>
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<td>They need to make efforts to do spot checks I feel like they don't care</td>
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<td>about what's going on out there</td>
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<td>They appear reluctant to issue a notice, but would rather issue an entry</td>
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<td>report</td>
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<td>They are a disgrace and companies no longer fear them and they know they</td>
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<tr>
<td>are a toothless tiger</td>
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<td>They are available</td>
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<td>They are more reactionary than pro-safety. Once they leave a job site</td>
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<td>it is back to usual corner cutting practices.</td>
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<td>They are ok as long you fix what they see you need to do.</td>
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<td>They are unreliable</td>
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<td>They are very good at handing out reading materials but when you need</td>
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<tr>
<td>help in the workplace they tell us to see our Union</td>
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<tr>
<td>They are very good at what they do</td>
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<td>They are very helpful when ring them up</td>
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<tr>
<td>They cost me my job!!!!. Because their inspector turned up and did not</td>
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<td>notice the dangerous crane access. Or other breaches.</td>
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<td>They didn’t talk to the workers, just do what we want you to do.</td>
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<td>They do not have the power through legislation to help</td>
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<td>They do not look after the health and safety of workers, most workers I</td>
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<td>talk to think WorkSafe is a joke.</td>
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<td>They do not seem to be there to help the worker. When I called them they</td>
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<td>went straight to management for 3 hours and then wanted to proceed to</td>
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<td>interrogate me as if I was at fault for asking for help.</td>
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<tr>
<td>They have completely lost their focus on health and safety for workers,</td>
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<td>an immediate risk too them is after a worker has been seriously injured</td>
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<td>or killed. Before that they give the builder a week to fix the safety</td>
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<tr>
<td>issue, they are a joke, they have no respect in the industry anymore.</td>
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<td>They have not involved me in inspections, they inspected my workplace</td>
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<td>without involving me and I had a lot of issues I wanted to bring to</td>
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<td>their attention. They sided with the boss's excuse when I raised an OHS</td>
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<td>issue. They didn't talk to any of the workers in the section, they just</td>
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<td>listened to what the boss was saying about it and didn't consult</td>
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<td>they just came out to our workplace as a result of assaults and the</td>
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<td>threat of allegations made by a client</td>
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<tr>
<td>they keep companies accountable</td>
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<td>They look for compliance of ohs regs</td>
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<td>They make the jobs safe</td>
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<td>They need to speak to HSR on their own. They need to request to speak to</td>
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<tr>
<td>HSR and not make the decision on their own without asking for them</td>
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<td>because they don’t want to take them out of class. This has happened</td>
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<td>twice.</td>
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<td>They were helpful</td>
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<td>they were helpful but I was disappointed that when we had an issue</td>
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<tr>
<td>WorkSafe took information from the company without any input from the</td>
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<td>HSRs only after we contacted them again did we actually get to talk to</td>
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<td>the inspectors</td>
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<td>They were very professional but there was that lack of communication</td>
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<tr>
<td>between HSR and WorkSafe</td>
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<tr>
<td>They're pretty efficient. Generally if you have to call up about</td>
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<td>something you can get onto them pretty easily. I can find stuff on the</td>
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<tr>
<td>internet pretty easily. They don't seem to show up unless you want them</td>
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<td>to, they could do with some more random inspections.</td>
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<tr>
<td>This will be my first time other than license renewals</td>
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<tr>
<td>To have safely environment from hazard for the workers, secondly to</td>
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<tr>
<td>minimise the injuries make hazard report. told to shut up and leave it</td>
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<tr>
<td>to them</td>
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<tr>
<td>Too reactive. Not proactive enough. Gives big companies a slap on the</td>
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<tr>
<td>wrist for breaches.</td>
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</tbody>
</table>
Toothless tiger, all about not upsetting employers whilst they make sure to distance themselves from the union, they attended my site after the union called them to address serious safety breaches regarding pre-cast they inspected the areas with the builder and didn’t even bother speaking to me and I’m the safety rep on the job.

Treated as a guilty person trying to rip off the system.

Tried to become HSR... company tried to stop me... WorkSafe did nothing

Two very different experiences one case the injured worker was looked after properly, second case a worker was treated like a fake, was intimidated on site by work management, given no support and was rather upset by the whole experience. This second one is actually more common than people realise and almost makes other workers not even reporting incidents in fear of the poor treatment

Unfortunately none!

Unfortunately we had many incidents and PINs that required WorkSafe intervention. Particularly of note in 2014/15 we had 5 machines (Straddle carriers worth $2million each) catch fire in a 12 month period. Each fire incident was a near miss that could have caused serious injury or death. Luckily and only by luck no one was injured in the fires.

Work-safe inspectors attended after each fire but despite the seriousness of the incidents and the multiple reoccurrence not one improvement, prohibition or compliance notice was issued.

To me, Inspectors showed genuine concern but in terms of enforcement they only seemed to be interested in company policies and procedures (administrative controls). It appeared to HSRs that Inspectors were simply going through a tick and flick process to make sure the company had e.g. Rescue cages in case of emergency, that there were policies and procedures in place of what to do in case of fire and that employees had been trained.

We argued that training was not sufficient and the company produced a toolbox talk "safety alert" which they said every employee had been briefed on.

(A toolbox talk should supplement training but should never replace training)

Once those administrative controls were confirmed they would then ask what the company planned on doing to control risk moving forward.

DP Worlds response was simply to get some quotes on fire suppression units to be installed on each machine. This quote process as mentioned earlier took over 12 months, more machines caught fire and endangered 5 lives before even one machine was fitted with fire suppression.

To me, the inspectors saw the DP World’s response as reasonably practicable but I dispute that getting a quote for a safety device and making sure the company has a procedure for a machinery fire is reasonable at all.

In each of the fires I don't believe inspectors actually spoke to the drivers machines or provided them with a copy of the entry reports.

DP World would make sure the Safety Manager, Operations Manager, Maintenance manager and a HSR were present for any WorkSafe visit but not once did I see an inspector seek out a worker involved in the actual incident or speak to a HSR who was on shift at the time of the incident.

Unhelpful.

Unless you've chopped off your arm they are quite useless

used to be better WorkSafe have lost experienced inspectors and replaced them with academics and the whole department seems to be toothless and full of red tape

Usually pretty good

Very disappointing....won't take on big companies like Woolworths even when these companies are obviously in the wrong

Very good

Very good and informing about codes and regulations

Very good when actually on site , but if not on site regular visits then safety is lacking

Very good, we are here to make the work sites safer and WorkSafe and HSR work well doing the same role.

Very hard to deal with
Very helpful
Very helpful and understanding do circumstances
Very limited but so far very good when I have had contact with an inspector
very limited dealings with them
Very little
Very poor after ringing them about issues on site and not even turning up
Very poor, don’t see them much on the jobs
Very poor. The best they could do was offer to send an inspector to look at the problem.
Very little!!!!!!
was ok

We had an incident where a worker rolled an excavator. The company SHE officer convinced WorkSafe that sufficient training and safety precautions were in place or as a result of the incident would be put in place and no action was taken against the company. The employee was given a photocopy of the section of the Act that explained it was the employee’s responsibility to ensure a safe workplace and he was reprimanded.

We issue PINS on advice from the WorkSafe advice line and these inspectors tell us to issue PIN as there are number of breaches by the employer. The inspectors that come out are always cancelling PINs and are going against the OH&S Act and OH&S legislation. They seem to have different laws for different industries. They never uphold PINs and degrade you in front of management. This makes one question ones position and what WorkSafe stands for. Internal review just backs the inspector’s decision. We need and ombudsman to oversee this and as HSR’s we have a go to point.

Weak as Piss, too scared of the big end of town

Well, being a HSR for over 20 years it’s disappointing that the WorkSafe officers have become soft with Companies. There powers have softened and Companies get away with too much.

When a death happened in my company not much changed in the business I was working for same amount of carelessness from our company its directors and foreman

When and if you see them they aren’t as experienced as the old inspectors, they are weak to issue improvement or prohibition notices and to really look after the worker

When called on for workplace infractions, they spoke with my employer who subsequently went back to their old ways of doing things. The only way to change a workplace is to fire them. Employers will do things when money is involved...

When I dealt with WorkSafe directly after a near miss incident there was a massive lack of communication. To this day I’m still unsure what outcomes resulted.

When I was injured at work, I felt I didn’t receive the support or advice I required. It was my first and only experience with WorkSafe. When I called the advisory service for ‘advice’. I found them to be unhelpful.

when involved in an accident onsite the inspector was thorough asked questions & listened intently to what I had to say about the cause of the accident [ that day I saved a man’s life ]

When it suits the management from litigation

When I did my HSR training it made me understand the power of WorkSafe, and how they can make the employers accountable. I only wish there were more WorkSafe inspectors and ones that can come immediately when you call.

When there’s an issue on my workplace , I contact the CFMEU safety officers first , WorkSafe should then answer their calls , because they don’t respond to mine even when management apply on line

When they appear - they give the employer too long to rectify critical issues

When you work for a company that covers over incidents it’s hard to get or feel that being a HSR is worthwhile especially when fellow workers say to you safety here is just one big wank

Will not make a decision then and there

Work safe come out and as long as they see things "heading in the right direction" they walk away and leave us to it.

WorkSafe inspectors usually always go to quickly patch up things. E.g. when a person is cut or injured they often just use PPE as a quick patch up easy fix rather than taking information from OHS reps seriously and working out what may have caused the injury to begin with and what could have been done to prevent it.
| Work safe is good for the industry and workers  | work safe is very good I get training and help when need  |
| Work safe lack in inspections (proper inspections on construction) been in the industry for roughly (8 years) only seen two inspections, when there should've been more, only people who are actually bother to do something is the union, ARREOs, work safe doesn't even promote HSRS being in the industry or enforcing it.  |
| Work with extremely violent client in her rented house. Re: work place violence was told to call police. Re: all other ohs concerns e.g. staff safety - physical & mental & organisational neglect & noncompliance towards staff, work safe staff member told me they would not go into this person's home to check anything. Even though I have completed incident reports & sent emails about problems to OHS staff, OHS Committee & management nothing has ever been done except for installation of fire blanket & fire extinguisher. I'm disgusted with work safe & work place.  |
| Workable  |
| Worker held accountable/at fault in the first instance  |
| WorkSafe, it's a joke!  |
| WorkSafe seems disinterested in ensuring safety and compliance.  |
| WorkSafe are not doing their job. WorkSafe Inspectors need to start regulating. When Inspectors are on a site they need to look at the whole site not just a single issue.  |
| WorkSafe can be quite good with advice, until they heart that you work for a bit company like Woolworths. Then their tune charges a bit. Every time they have come on site for a PIN, they've backed the company even when we are right. Sometimes they don't even acknowledge the HSR when they get on site, straight into the office. A fellow HSR actually had an inspector banned from our site for doing too many dodgy practices and siding with the company on clear safety violations  |
| WorkSafe doesn't have enough resources for international workers.  |
| WorkSafe gave some advice regarding preparing a PIN, which was useful. This turned out to be a more technical process than I had understood though. The ANMF were significantly more helpful overall. However, after the PIN had expired WorkSafe responded quickly and efficiently to secure a safe workplace when the employer would not do so.  |
| WorkSafe hardly come on site  |
| WorkSafe has worked to keep my workplace safe.  |
| WorkSafe have been appalling in the health sector. There has been a complete lack of support throughout the acute and aged care sector and in my view, WorkSafe view it as all too hard and too controversial, so do not want to get involved. They have not enforced PIN's and Improvement Notices, have not investigated matters properly and have not followed through and made prosecutions where there have been clear breaches of the OHS Act.  |
| WorkSafe inspectors don't have enough experience in the construction industry  |
| WorkSafe prosecutions are a disgrace, $200 000 fines mean nothing to billion dollar corporations. Inspectors are reluctant to attend and seem overly friendly with management, leaving management way too much time to get things done. The inspectors do not focus on preventative equipment, but seem rather to let companies get away with not getting appropriate equipment which could actually PREVENT an injury. Self-insurers seem to get away with everything and WorkSafe let them – even when issues regarding self-insurers are reported to WorkSafe as the authority. When the WorkSafe authority does nothing self-insurers cannot be reported to the Ombudsman. WorkSafe has made it clear that billion dollar corporations who are self-insured can and do get away with anything without consequence because even the self-insurer companies know the Ombudsman will do nothing.  |
| WorkSafe is very hit or miss depending on the inspector, some will help you out others will not even return a phone call  |
| WorkSafe seems to have moved away from enforcement to a more cooperative role with companies.  |
| Worst in years too close with bosses  |
| Years ago, I could say that my experience was somewhat educational. I'm sorry to say that in the last few years till now my experience with work safe is rather disappointing and lame. Which sux for the rep on site especially if the manager above him doesn't give a shit about safety.  |
| You don't seem to see them until something goes wrong I think they should be visiting sites to get a relationship with HSRs workers and unions  |
**How supported by WorkSafe did you feel?**

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>1</td>
<td>Allow massive rich companies to manipulate and exploit poor political systems. People where I work are too scared to be honest about their health and safety due to mismanagement and mistreatment. Is this culture acceptable?</td>
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<tr>
<td></td>
<td>They’re too busy trying to cover their own backside cover up their own incompetence. That looks weird and they never make a decision</td>
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<td>A work mate was almost killed and the site wasn’t closed</td>
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<td></td>
<td>as above</td>
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<td></td>
<td>As above total lack of communication.</td>
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<td>As said before no talk with the ordinary workers on their safety</td>
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<td>As the HSR i was not approached</td>
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<td>Because nothing was changed to prevent this happening again as far as I am aware nobody told me anything</td>
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<td></td>
<td>Because of lack of interaction with workers</td>
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<td></td>
<td>Because the matters weren’t resolved.</td>
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<td>Because the WorkSafe team need to get more information from the employees than the supervisor.</td>
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<td>Because their fix of the safety issue was week, also they don’t even walk a job anymore, to see what the rest of the site is like</td>
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<td></td>
<td>Because they did not listen to the workers who were being assaulted and just accepted management’s paper trail that contained out of date and obsolete information. The inspectors were completely ill equipped to understand what they were dealing with.</td>
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<td></td>
<td>Because they did nothing</td>
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<td></td>
<td>Because they were obnoxious and rude</td>
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<td></td>
<td>Because WorkSafe just visits the builder on site and has no output with the workers</td>
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<td></td>
<td>Because you guys are never there, especially on commercial construction sites.</td>
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<td></td>
<td>Certain issues were valid as other sites had incidents occur due to barriers not been installed.</td>
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<td></td>
<td>Decisions were made regardless of input from anyone other than management.</td>
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<td>Depends on the inspector – some arrive at a smelly abattoir and don’t even go out on the kill floor.</td>
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<td></td>
<td>Did not help me at all</td>
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<td></td>
<td>Didn’t turn up to job</td>
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<td></td>
<td>Fail to give improvement notice</td>
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<td></td>
<td>Found them too authoritarian</td>
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<td></td>
<td>Have had hazardous chemical spill go unreported &amp; inadequate storage of chemical, unsafe movements of goods within hospital, combined with obstructions galore</td>
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<tr>
<td></td>
<td>He got paid</td>
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<td></td>
<td>HSR’s views were not taken seriously and were told we had no right to issue PINs for our Employer not consulting in relation to Health and Safety matters.</td>
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<td></td>
<td>I did not even meet the WorkSafe inspector, know they were attending and was not included in the inspection of the area/ discussion of the outcome report</td>
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<tr>
<td></td>
<td>I don’t know if they’re attending work.</td>
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<td></td>
<td>I have never seen a WorkSafe inspector in any place I have worked.</td>
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<tr>
<td></td>
<td>I have not seen an inspector in five years.</td>
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<td></td>
<td>I explained this in previous comment box</td>
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<tr>
<td></td>
<td>I felt as I was being victimised on asking for help on setting up work procedures for the electrical department.</td>
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<tr>
<td></td>
<td>I got the sack</td>
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<tr>
<td></td>
<td>I never issued a PIN. Dealt with the problem on my own</td>
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</table>
I never met them and found out about the visit weeks later.
I was made to feel unimportant.
I wasn't notified of when the inspector would come out and he didn't ask to see me
In Ballarat, on most occasions, WorkSafe don't attempt to contact HSRs when asked to come on site. They have a nice discussion with the company who tell them there is no issue or that it's been fixed and leave.
Inexperienced
Inspectors are spending too much time listening to management only and not listening to what the OHS reps have to say
Inspectors did not provide policy and/or legal advice to the employer or HSR but merely cancelled the PIN. There was no discussion with the HSRs on account of the HSR working night shift neither was there any discussion with the workers. A HSR from another DWG was invited to meet with the Inspectors and managers to discuss the PIN.
Inspectors were questioning my job description in front of managers and refused to relate to me as the elected HSR when I was sitting at the table.
It only takes a split second to be hurt or worse. The usual response we will look in to that well workers just work around the problem is not good enough. More needs to be done by the authorities not by the workers.
It was the first time a pin was put forward by the work group. And although an out of date form was used and possibly incorrectly filled out. The company has not dealt with concerns of the operators in relation to stress and workload in a hazards facility. The WorkCover suggested to the company that should discuss workers concerns. The companies approach to discussing concerns has been to attach the work group rather than consult and address issues raised by operators.
I've never seen WorkSafe in the two years I have been there. If they have been there they have turned a blind eye on lots of little things.
Just helped the school to tick the box with what had to be in place. Not really concerned with ensuring that the plans were followed.
Lack of experience
More interested than helping the employer
Never seen an inspector
no back up
No communication
No contact
No feedback
No feedback or follow up.
No I felt they didn't fix the issue, weather through inexperience or not wanting to get involved.
No interaction
No involvemnet of HSR on works it inspection
no outcome
no proper communication
No support at all
Nothing changed. Employer said they wouldn't buy the equipment to prevent recurrence of injury.
Nothing resolved
Once again an example of a WorkSafe inspector not talking to workers or safety reps on the job and only dealing with the employers.
Poor communication
Punitive emphasis and only interested in getting worker back to school in shortest time possible, changes to work conditions were not changed at all, no accountability at all to making sure injury didn't happen again. NAND since then it has, other staff have been hurt.
question 8
read above reasons
<table>
<thead>
<tr>
<th><strong>Reluctance on their behalf to consult the injured or victims fairly. WorkSafe are usually more focussed on the employer perspective.</strong></th>
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</thead>
<tbody>
<tr>
<td>See above. I’m not sure that they’re even aware of traffic controllers</td>
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<td>See answer to question 8</td>
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<tr>
<td>Seemed to do nothing about the issue</td>
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<tr>
<td>That would depend on who the inspector is.</td>
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<tr>
<td>The company calls the shots.</td>
</tr>
<tr>
<td>The employer was allowed to bully the people on WorkCover claims (4 of them so there was definitely a safety issue at the school) and WorkSafe did nothing to protect the injured workers from further attacks and did nothing to protect other workers from getting injured as well</td>
</tr>
<tr>
<td>The HSR was sacked</td>
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<tr>
<td>The inspector made spurious claims that didn't make sense. He insisted that the scaffolding could not be erected or dismantled without using a builder’s hoist or a crane to lift material. He said that Manual handling was no longer allowed in scaffolding works and made the builder employ a crane to lift scaffolding equipment down rather than passing it manually.</td>
</tr>
<tr>
<td>the inspector told me the oh as act is old and out of date and can be interpreted in many ways</td>
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<tr>
<td>The inspector was unaware of the WorkSafe documentation relevant to the issue. They ignored the WorkSafe documented advice. They did not provide any support to the HSR and actively supported the employer. They behaved as an employer advocate.</td>
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<tr>
<td>The inspector would not even return my phone call</td>
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<td>The only precise information they could share that there was no legislation governing these issues.</td>
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<td>There seemed to be no practical ways introduced to deal with employers that had no intention of doing the right thing.</td>
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<tr>
<td>they did ignore all the bullying evidence not talking to the boss of the management who bullied me in my workplace for years in my role as a safety REP.</td>
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<tr>
<td>They are hopeless and too scared to make a decision</td>
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<td>They called the builder of the job, but never came onsite.</td>
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<td>They care more about saving money then helping people. I had back surgery 7 months ago and have complained that there has been no improvement. But they don't care. I just spend my days in bed taking painkillers. What a great way to live.</td>
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<tr>
<td>They did not seem to care</td>
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<tr>
<td>They did not turn up</td>
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<tr>
<td>They didn’t speak to workers at all.</td>
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<tr>
<td>They didn’t turn up</td>
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<tr>
<td>They don’t help employers suffering mental health issues</td>
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<td>They don’t turn up while work is going on.</td>
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<td>They effectively green lighted unsafe conduct - more harm than good.</td>
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<td>They never bothered to discuss anything with me.</td>
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<tr>
<td>They seem to understand the industry</td>
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<tr>
<td>Tried to push issue that was not relevant.</td>
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<tr>
<td>very weak...gave the company incredible leeway</td>
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<tr>
<td>was given to employer</td>
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<tr>
<td>We don’t see them</td>
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<tr>
<td>whatever I said it was always about management and trying to see their way</td>
</tr>
<tr>
<td>With reportable incidents that happened at our workplace, as the Rep I was never involved with the process ever. Not once did a WorkSafe inspector come to speak to me about anything.</td>
</tr>
<tr>
<td>Work safe have never bothered to visit workplace &amp; there is a work safe office opposite our work place main office.</td>
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</tbody>
</table>
Workers know what an immediate risk is, but WorkSafe will give the employer a week to fix it, especially when it is a fall from height issue.

WorkSafe in my town of Ballarat are widely regarded as useless. Inspectors have no direct contact with employees other than those chosen by persons within the company who are employed to mitigate blame and cost. Workers may have no opportunity to engage with an inspector to confirm the validity of company supplied information this obviously impacts the workers safety and has a devastating effect on people faith in WorkSafe.

WorkSafe Inspectors take it personal when a HSR has a better understanding of OHS. I found the Inspectors to be somewhat lacking in their understanding of the legislation and Work Safe's own policies.

Yes they had an entry report, I kept it and then nothing.

Again no communication.

Again, the lack of enforcement of given prohibition notices and the amount of pressure required to eventually have WorkSafe act upon these prohibition notices diminished the respect I held for WorkSafe.

All about the company not the worker they don’t come on the floor and ask the workers

AS I said they didn’t listen to us.

Because he took the soft approach were could off went a lot harder and teach the company a safety lesson

Because there worried about the employer

Because they did not make the job safe. They cost me my job. And then I spent weeks complaining about this situation

Because Visy seems to think they are a rule unto themselves and as soon as the inspectors gone they just drop back into their own old ways

Because we know they’ll usually side with the company, we try to avoid involving them unless desperate

Conclusion or outcome was technical rather than progressive.

Did not hear from them

Didn’t seem to care

Didn’t support worker

everyone doesn't care

hamstrung by red tape and protocol

I felt that they needed to attend a job that I was working at - the incident was not my work related but I had to investigate and they did not turn up

inexperienced in particular industry (cranes)

injured worker was let go

It felt like inspectors wanted to do more but were restricted by their own internal policies or procedures. As a HSR we had highlighted issues time and time again with management and when we finally had to issue a PIN or WorkSafe would enter our site due to an incident we had assumed that we would finally see a resolution to an issue. However we rarely saw a positive outcome and we ended up trying to fix most issues ourselves.

Made things hard. Not easy. You’re already injured and they make you jump thru hoops

Nine time out of ten the Inspector was there because of necessity.

No feedback no further information offered no follow up inspections

Not me personally but felt by the majority at the workplace it’s a waste of time, looks great on paper but the reality is a joke

Nothing was done

NOT HAPPY WITH THE OUTCOME

on the employers side

Once the companies gain permit from WorkSafe most of the companies ignore to maintain and upgrade the safety system in practical. They do everything in paper and document. As the poor onsite inspection system WorkSafe maintain (no regular onsite inspection) companies take it granted.

Once they leave the site that’s the end of the matter.
<table>
<thead>
<tr>
<th>Issue</th>
<th>Details</th>
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<tbody>
<tr>
<td>Workplace keeps them away from us</td>
<td>Paranoia of management using work safe to their advantage.</td>
</tr>
<tr>
<td>Poor communication with workforce</td>
<td>Problems that existed were not detected and they were not minute, but nor glaring to a person that didn’t/hadn’t worked with Chemicals in a Laboratory.</td>
</tr>
<tr>
<td></td>
<td>See above.</td>
</tr>
<tr>
<td></td>
<td>See above reasons.</td>
</tr>
<tr>
<td>Poor communication with workforce</td>
<td>Still things which are in breach of ohs regs happening every day, needs to be a permanent safety authority on site at all times. Or someone who can go to for support etc.</td>
</tr>
<tr>
<td>Problems that existed were not detected and they were not minute, but nor glaring to a person that didn’t/hadn’t worked with Chemicals in a Laboratory.</td>
<td></td>
</tr>
<tr>
<td>Taking side with management</td>
<td>The employer delivered the outcome of WorkSafe's inspection.</td>
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<td>The information provided from WorkSafe website and the inspectors report contradicted each other.</td>
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<td></td>
<td>The interviews took place in front of management which made it awkward to be honest in fear of reprisals.</td>
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<td></td>
<td>They appear to except the view of the polished management team.</td>
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<td></td>
<td>They did not do anything about the complaint (that I heard of).</td>
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<tr>
<td></td>
<td>They just asked me what happened and that was it.</td>
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<tr>
<td></td>
<td>THEY JUST SEEM TO DO BASIC AND MOVE ON</td>
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<td></td>
<td>They more or less said the builder were better placed to resolve the issue. Basically they swept the incident under the carpet.</td>
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<td></td>
<td>They spend most of their time speaking to the manager when they show up.</td>
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<td></td>
<td>They tend to deal with the OH&amp;S management representative. Would love to meet an inspector occasionally. I have been a rep since 1987!</td>
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<tr>
<td></td>
<td>They turned up!!</td>
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<tr>
<td></td>
<td>That’s about all</td>
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<td>They were more interested in speaking to the boss.</td>
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<td>To long for reports</td>
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<td>Too easy going with subcontractor whom he knew.</td>
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<td>Too lenient in issuing an improvement notice instead of a prohibition notice it was an immediate risk.</td>
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<td>Too reactive. Not proactive</td>
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<td></td>
<td>Unresponsive</td>
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<td></td>
<td>very secretive with management</td>
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<td>well they only went to the employer and that was it</td>
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<td>3</td>
<td>As above in #8</td>
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<tr>
<td></td>
<td>As stated after seeing company &quot;moving in right direction&quot; no further inquiries made.</td>
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<td></td>
<td>Basic</td>
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<td></td>
<td>Because the PIN was ultimately not issued WorkSafe did not get involved.</td>
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<td></td>
<td>because work safe people don’t seem to understand what really happens on some sites</td>
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<td></td>
<td>By speaking only to the employer and not to HSE the employer can get away.</td>
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<td></td>
<td>Communication was limited. In relation to workplace deaths there was no contact at all regarding outcomes.</td>
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<td>Didn’t expect more, wasn’t disappointed. Satisfied with coverage and actions.</td>
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<td>Don’t know. Limited involement</td>
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<td></td>
<td>Felt that the employer was getting more support</td>
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<td>Good but could be better</td>
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</table>
Have not yet received the outcome report but the main thing I wanted was protection for staff against false allegations and nothing was suggested RE this. It’s a hard thing to find a solution to but that’s their job when there has been a long history of unsubstantiated allegations and threats to staff.

Haven’t; had to deal with them personally.

He did ID himself to me, but I don’t think he make an issue out of the problem or why and how it got to this point, we looked at what was in front of us not why the issue was allowed to get this stage.

He was fair.

I do not believe that they strong enough to tell Company they done wrong. Seem they too soft.

I don’t feel that WorkSafe were all that forward with the HSR at the time.

I don’t think there interested in the big companies.

I feel equally or more knowledgeable than inspectors.

I feel they could of been more aggressive over the issues.

I felt as though they weren’t as they should be.

I haven’t had anything to do with WorkSafe, at this stage there was someone else at the school prior to me starting that was involved in the last inspection. We have been contacted that an inspection will happen in August.

I still had to research via other avenues to get the advice that I was after.

Inspector met with management without my presence as HSR.

Inspector supported our findings and helped us with our report. Supported us in regards to information given to subcontractor regarding training and reporting.

It was good to feel I had a higher authority supporting the safety issues raised.

It was good to see that rosters were fixed, but once that client was moved I don’t know that it continued. However other clients have the potential for similar behaviours of concern. I think that WorkSafe’s solution was a Band-Aid, the roster has been reviewed since then.

Lack of communication.

Lucky enough to deal with good officer.

Management has targeted several HSR in our workplace and WorkSafe has rolled over. The work force has a belief that WorkSafe will come down hard on small businesses but multinational companies they don’t do much!

No feedback.

no follow up.

Not enough time on job.

Not too concerned by cowboy contractors doing the wrong thing.

Not enough after incident feedback.

On one occasion I felt the visit was helpful the other in response to an incident I felt the focus on finding what had happened was shallow.

only interested in the item reported.

outcome from site visit.

Perception that WorkSafe will try and avoid disputes with large and powerful companies.

ref above.

seemed more interested in managers views.

Seemed to be rushed.

tended to say we had to solve the problem did not offer any solutions.

The inspector was part of our senior management group at the time that accompanied him on his visit. There was no contact with the workers.

The involvement felt incomplete.

the work health and safety representative in our facility is very busy and always running to go home.
The work safe inspector advised management that two traffic controllers were required as per traffic management plan so management got a new drawing showing one controller and they then stepped up the bullying which in turn resulted in myself on stress leave and not wanting to return to the company and now am finding it hard to get employment

They attended the workplace when requested
They do what they have to
They withdrew an organised inspection which was set up with work safe's occupational hygienist via the advice of one of the inspectors. My work place threatened industrial action against me (HSR) for doing this despite valid concerns and adherence to the act and regulations. I have not heard from work safe reading this matter since

Too easy for employee to renegotiate time frame to fix pin in meantime at least 2 violent episodes caused harm to nurses

When they came to the sight there was a safety rep on site

4

A prompt and appropriate means of addressing the immediate issue was discussed and implemented, leading to a satisfactory solution
because
Because he had to
because of the result
Did not wait for a rep to attend meeting
Didn't really hear what the outcome was
Everybody was happy with the information
Felt that the situation workplace accident was handled with common sense and duty of care for both parties involved...
gave me some ideas
Good communication
Good to have them watch your back
Have no idea
He listened and advised
He was an open to all opinions and asked anyone who was involved what they thought.
Helped to resolve issues to keep workplace safe.
Inspector was pretty good at his job
It was a positive outcome and were able to proceed with work
Know where to contact and get information.
not sure as it was the first time I dealt with them so not sure what to expect
Put the safety of the DWG at the top of the list of priorities
Safety for worker
Said to me in front of management, "if you have any issue call me. " and gave me his card
Speed of the resolution
the inspector back its hsr.. good hsr are hard to find
The inspector did listen to what was said, but was reluctant to issue an improvement notice
The inspector was always supportive and informative when issues arose
They felt we were right and the company needed to fix the issues
They take on the investigation in most cases.
They were mindful of the situation
Very happy to have the work group formed and the heat work safe specialists to be involved

Was consulted and given feedback

Worker rights upheld, where clearly they have rights.

They acted on our report, where reasonable and practical in their approach

advice, assistance

An occupational therapist organised a back support for the car and advised on suitable carrier for my work goods for my role

Answered all questions and left plenty of resources

because any action taken was justified and followed up

Because they enforced the opportunity for workers to be safe on the job.

Clarified which machines I could and couldn't operate while my permit was being renewed

clear explanations of how to adhere to the act

Consulted

Explained procedures and verified my concerns.

Fair

Friendly, informative and honest

Handled it well because the job site was a disgrace

Incredible understanding for the inappropriate workplace bullying which was occurring. Also my colleague and I felt immediately supported which allowed us to continue in the workplace whilst the dispute was being settled.

Inspector listened and also suggested solutions

it was one inspector he was very thorough

Listening to me

Walked thru the process

Went out on job to look at issue

Gave good advice

Thanked me for the way I handled problem

No safety

Responsive

Supported me throughout my injury

The inspector that I had last came from within the sector I work in

The officer involved me in all conversation during the visit, directing questions at me then asking management how the issues were being addressed.

The outcome was what was expected

They knew the bosses where bodgie

They look after the interest of the workers

They took the time to listen, read over existing documents and consider the different factors surrounding the incident

They we're helpful

They were helpful on phone when reporting incident they did not visit workplace

They were very good and I had no reason to think anything negative.

understanding

Very supportive and guidance

when I need help work safe help

When in conflict with employer trying to resolve ohs issues using a pin, a WorkSafe inspector actively supported me.
When it came to the point that I, my colleagues and the union had tried everything short of walking off the job to resolve an unsafe situation, once they were involved, WorkSafe had the authority to resolve the situation. However, I still cannot understand why my employer let things go so far. They did not appear to believe WorkSafe intervention was going to be a problem for them.

How effective was WorkSafe’s intervention & what did it achieve?

1. Nothing they we not interested in any of my concerns about staff safety & welfare as a result I am now claiming work cover.

   ?

   A loss of time and money.

   Absolutely nothing

   Absolutely nothing. All it did was make vulnerable workers feel even more vulnerable and unsupported

   All it achieved was that the builder saved money by not supplying traffic barriers.

   And one day a car drove through the fence.

   Allowed management to intimidate.

   An entry report only when workers have been potentially exposed to Asbestos is not appropriate and did not achieve anything

   An excuse for my boss not to fix OHS issues as WorkSafe sided with them and now the issues will never be fixed

   Because the employer I reported to WorkSafe is still doing the same thing

   Because WorkSafe only gave an entry report, all bad work practices continued after a day or two.

   Destroyed my life

   Didn’t get that far

   Disillusionment and frustration.

   Distrust toward WorkSafe.

   Don’t know if they have been there

   Don’t push the issue.

   Employer was employing overseas workers and undermining Australian workers.

   Frequently at my workplace (McCain Foods) a commitment to fix something in the future is made by the company and an inspector will accept that. Often the company says they are planning an engineering solution that never occurs. An inspector will not insist on a firm completion date nor will he return to check if any of the vaguely described solution have been completed. Companies know this and realise WorkSafe inspectors can be easily bamboozled. Ironically inspectors will not engage with the Union for fear of being bamboozled.

   Fuck all

   Gave the management easy way out by siting fault in pin notice. But not taking up the issue with the work group that placed pin notice.

   Great for boss very rarely spends a cent to fix a problem always done by PPE operating procedure issues are never fixed

   How they did not turn up

   I’m in Essendon fields we had asbestos ,WorkSafe visited and nothing , funny thing is there office is a cross the road

   In general terms when HSRs in Ballarat call in WorkSafe, work safe don’t try to contact them when onsite and support the company position about a reported hazard. Members continue to suffer and HSRs feel they have no support

   it achieved nothing

   It created more bullying and intimidation from management against staff

   It created more uncertainty
<table>
<thead>
<tr>
<th>It didn't</th>
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</thead>
<tbody>
<tr>
<td>My sacking and no safety rep</td>
</tr>
<tr>
<td>None</td>
</tr>
<tr>
<td>None</td>
</tr>
<tr>
<td>Not much</td>
</tr>
<tr>
<td>Not much from my perspective</td>
</tr>
<tr>
<td>Not much the site was preserved after a major failure of the plant WorkSafe attended and they said ok take it to the workshop and tell us what you find</td>
</tr>
<tr>
<td>Not much. The CFMEU put in place safety measures.</td>
</tr>
<tr>
<td>Nothing</td>
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<tr>
<td>Nothing</td>
</tr>
<tr>
<td>Nothing because they said an inspector would come out if things got serious. Not good enough</td>
</tr>
<tr>
<td>Nothing - I was left with the option to take long term sick leave.</td>
</tr>
<tr>
<td>Nothing, as I have never see. Them</td>
</tr>
<tr>
<td>nothing, except disillusionment with the entire system</td>
</tr>
<tr>
<td>nothing and won't until unions become more involved</td>
</tr>
<tr>
<td>Nothing as the employers know that WorkSafe will not follow through with any enforcement so it was left to me as the safety rep to ensure that the issue was fixed, not that the inspector would know as they didn't even bother to speak to me</td>
</tr>
<tr>
<td>Nothing at all</td>
</tr>
<tr>
<td>Nothing at all.</td>
</tr>
<tr>
<td>Nothing much</td>
</tr>
<tr>
<td>I think management just laughed as me</td>
</tr>
<tr>
<td>Nothing on this day.</td>
</tr>
<tr>
<td>Nothing other than create more barriers for the HSR and workers. If anything we have achieved better results by keeping WorkSafe out of the workplace</td>
</tr>
<tr>
<td>nothing the NUW had more of an impact</td>
</tr>
<tr>
<td>Nothing, just box ticking.</td>
</tr>
<tr>
<td>Nothing.</td>
</tr>
<tr>
<td>Nothing. Nothing changed and management learnt that they can get away with anything.</td>
</tr>
<tr>
<td>Nothing. OHS meetings are conducted so the organisation can tick the box that the meetings were held. Anything brought up by those down the food chain is ignored. Many times I have been told prior to the meetings not to bring up items.</td>
</tr>
<tr>
<td>NOTHING. All the bullying management got was a promotion. This is absolutely ridiculous.</td>
</tr>
<tr>
<td>question 8</td>
</tr>
<tr>
<td>Resolution of a PIN issued by a newly elected HSR.</td>
</tr>
<tr>
<td>The completion of the paperwork required for the school to set up.</td>
</tr>
<tr>
<td>The employer got a good laugh about it.</td>
</tr>
<tr>
<td>The green light to cut corners - with only a polite visit from a regulator if they breach safety standards.</td>
</tr>
<tr>
<td>There was no intervention at all as the issue wasn’t detected.</td>
</tr>
<tr>
<td>They are seen to be doing the right things with safety but will not come down hard on multination companies until there is a death</td>
</tr>
<tr>
<td>they came out to investigate an accident no feedback was given</td>
</tr>
<tr>
<td>They didn’t do anything except for ask about policies and procedures. DP World swore that they didn’t know what caused the fires and as HSRs and operators we told them that it is because of the lack of maintenance and the hundreds of litres of oil that leak from each machine every day. We asked the inspectors to accompany us out of the office and out into the operational area so we could show them what we meant but they were pressed</td>
</tr>
</tbody>
</table>
for time and wouldn't come out. They told us they would come back another time to check on our concerns but they never did.

They didn't intervene.

To alienate the workforce

To showed me that Ohs Reps are not being supported by the Act or inspectors

Very little

Very little, they obviously aimed to mediate any issues and concerns initially but when there is continual noncompliance from the employer work safe failed to ensure adherence or change to safe practices

Very minimal

WorkSafe did not intervene or investigate a serious workplace injury

WorkSafe don't visit worksites enough.

WorkSafe has failed to assist HSRs at my place of work to resolve issues. If anything WorkSafe has assisted to driving a wedge between management and HSRs.

Zero, except for tying up several hours with a conversation that went nowhere.

2

A band aid fix until the union safety union exposed work safe inspector and pointed him in the right direction

achieved nothing

achieved the goal

Better protections against further physical assaults by clients, better facilities which may prevent client escalations, but nothing to protect staff against allegations. They helped, but not with the main thing I wanted help with.

Compliance

Compliance to regulations but nothing to behaviour

Confirmed employers response as appropriate

Eventually it fixed the problem but it took too long

gave a quick scare to the boss

Got union member to become more active in safety issues

HE DID NOT BECAUSE HE SAID HE WASN'T FULLY TRAINED IN CONSTRUCTION ISSUES

In my work place I never see WorkSafe intervention at all.

It allowed the company to keep doing what they wanted

Just resolved a few issues but took subcontractor a while to resolve and got extensions

Kept the job going

Liaised with me regarding the investigation

little or nothing

Made company aware we were "on' and not going to ley issues slide.

Minimal

More robust discussion about the contravention but there is still no substantial action to rectify the contravention.

Nil.

No change

None

Not a great deal.

Not much

Not much at all
Not much long term
not really much
Nothing
Nothing
nothing was achieved
Nothing, improve more inspections, support the union, and support the workers. Nothing from you guys.
Old paint tins used as quenching receptacles, we had to black out any sign of what was in them.
Prefer not to say
short term compliance but a watered down outcome in the end
Temporary resolve which subsequently reverted later.
They didn't
They have negotiated with outcomes because they do not have the power to in force
Unknown no follow up no further information received no further inspections
WorkSafe try to keep sweet with the company with soft or little intervention on issues.
Zero

Worksafe’s intervention not achieved in your workplace
A satisfactory result was eventually achieved which was only in part down to work safe intervention.
appeasing a very loose 'safety' issue that the unions used to get an ARREO
Basic
Basic worker rights
better maintenance on mobile equipment and records
clarity
Closed a workplace, however the poor worker had to fight to keep their job and had to go through a large process which was very stressful.
Company needs to come up with solution they don't help solve the problem
Compo
Employer implemented improvements
Fair
Filled gaps in roster. However WorkSafe didn’t explore other solutions that we tried to come up with like environment modification were knocked back by management. A duress alarm was installed but it was going to the operational manager rather than to the police. There was a buzzer system to alert other staff if you were in trouble, but it was cheap and ran out of battery.
Follow up on procedure we put in place
For this particular issue, there was not really a great deal that the inspector could do. Some changes were made to a safe work procedure
Highlighted what HSR's do and are trained for.
I believe they fixed the problem to suit my employer. Again they followed the ambulance and did not help me in the prevention of incidents
I can't say wasn't involved
I do not believe that anything really changed at all.
I was not involved with them as our office people shepherded them away from us
I'm
In the end, the Licenced Assessor had his Conditions of Authorisation, and WorkSafe accreditation revoked so he can no longer assess HRWL. Unfortunately, this individual wasn't removed from the industry sooner and used his time to set up another training business, that he isn't the face of, and is still working within the training
industry. Too little, too late. He is currently under investigation by WorkSafe in regards to another charge that may see him in court later this year, if the investigation is successful.

It helped going the stakeholder together to discuss key safety issues and continuity

It puts management in the shits with HSRs they then fail to write down safety issues presented at H&S meetings and just do what it takes to get inspectors off their backs the computer was removed from H&S room that is open to all to use so we cannot store stuff, it’s all show for inspections out and out bullshit

Kept the employer on their toes

Made the company a little more accountable to better training. Did attempt to educate the worker that they have responsibilities as well

Made the company sit up and listen

Made the company take notice

Made us aware of the incident and its affects

More thought went into the job

No intervention.

Not much

Not sure

Not sure of the nature or extent of the visit or outcome.

not sure what could be done differently

Nothing as the same issues have arisen after the visit

Nothing really other than put into words what I had I'd to him

nothing that I know of

on one occasion they were helpful in backing me over a concern I had with trenching and enforcing my safety requests

On day of incident only

Reinforced need for DWG safety talks.

Situation resolved through DWG

some improvement

The Employer was fearful of WorkSafe visiting site and the possibility of receiving a notice. But made light of the fact they only received an entry report.

They have been helpful in the past, but more support is needed. Based on one incident not a real lot was achieved.

They were good as they backed up our resolution process

Traffic control management consultation with HSR and employees

Training and team approach just took way too long

WorkSafe communicated the regulations thoroughly

WorkSafe have gotten things done when they can get past the management team and speak to a random selection of workers and not the one that will be s

4

A better awareness and understanding towards Safety...

A better understanding how to approach situations

A bit of tension but resolved issue. Work safe was called by a disgruntled employee

A little helpful

A proper procedure to follow with resources to prevent issues in the future

A safety workplace

Allowed us to explore other avenues to deal with problem

Better understanding with work groups

Bosses listening
came up with resolution
compliance with codes
Created a safe environment for people. Made it safer for people to be on the job.
Ensured safe practices were enforcement.
Fairly
Fix the problem
for a safer worksite
Free up resources re scene investigation.
gave myself support when needed
Helped educate management, to manage their OHS responsibilities, which assisted in helping make a health and safe workplace.
Helped with future issues
If it was up to our management to do something it would never happen. With work safe involved they have no choice but to follow their guidelines.
Improvement Notice sorted out the issue
It achieved the clearance of high mounds of materials in an office, a consequence from the merging of two departments, resulting in the dumping of extra equipment/furniture/files that made the working environment impossible.
I've seen them more the once  first time help me get training though the trainer I choose and  help me make my workplace safer
Knowledge of how to make the area safer for students
Made it safer
Makes management COMPLY and find the money to fix issues.
Safe for that job... Now jobs are back to prior WorkSafe ways
Satisfaction
Some changes to work practices
Stopped an unsafe act and rectified through correct engineering
Their solutions are effective but not necessarily efficient which can mean we have less output. You’ve got to strike a balance.
they confirmed what we had been telling our managers and gave real life examples of how the regs work to achieve an outcome
When they visit there normal walk through finds a lot more issues. There visits keep Snr Managers on their toes, pity they don’t respect the HSR's as much
Work safe approved a method of work that I had drawn up with engineers after we worked together to make it safe as possible.

## 5

A means to gain an authoritative third party assessment and solution to a legitimate workplace OHS issue
A safer work place.
As already stated, it allowed the immediate workers to continue in their roles. I also discreetly shared that we had an advocate in WorkSafe.
Better environment
Better safety and procedures
Cleaner and safer workplace
compliance
During asbestos removal works contractors weren’t following JSA’s, best practice. I stopped works, called in W/Safe and they confirmed breaches and issued rectification orders and made sure compliance with Act and Best Practices were complied with.
Enforcing the installation of escalator plant guarding made the work place safer for staff working in that area
Ensured the safety of the general public

Fair

good

had the boss on his toes

Informed staff of requirements to meet the issue, assisted with education of PIN notices and the requirements needed to implement them.

It assisted with having our maintenance completed and our paperwork up to scratch

It played a huge part on helping myself and other workers on site to make that effort on planning their tasks and looking further into areas that where outline and identified as safety issues and concern while preforming their duties and tasks

Kept employer honest

Kept people honest.

Made management consult and fix the problem

Organisation had to follow advice of WorkSafe

People at workplace afraid of the attention brought up by the intervention.

prevention of falls from height, clear access, general site tidiness

Re PIN event, their involvement simply reinforced the DWG solution

Safer work sites

Safety consciousness across all shifts

shop stewards no longer do their job all company men

Some modification

stopped the job made the company build a better stacking system, inspected the crane for any damage, done some testing on the crane that day [motions] took my word that all was good, crane was further tested at our yard

That the builder had to take safety more seriously.

The company complying with recommendations of HSRs and WorkSafe and further issues being resolved without intervention of WorkSafe

the implementation of safety measures to improve

the problem was solved in the end but it did take a long time to solve it

The WorkSafe Inspector recognised all the employee’s proposed solutions were valid and directed the Employer executive to respond accordingly. We had worked long and hard to have the right solutions prepared and packaged for the WorkSafe Inspector to easily review. The employer did not present any solutions.

There was no intervention required.

They picked up things that slipped through the net when we were inspecting in regards to slings for picking up and moving patients. There was a hoist that we had serviced, there was no tag proving that we had checked.

Very soon

We had to have 2 people from 2 shifts to get a dogging licence as we had a coil explode in the factory and get a redesigned coil lifter

working in with HSR on the job and educating the DWG

WorkSafe issued a notice of no compliance of pin

Then issued an improvement notice

And followed up till problem was fixed

WorkSafe’s intervention achieved immediate relocation of wall mounted TV’s in residents rooms alleviating the possibility of staff incurring an injury on the lowset TV’s.

Do you have any further comments or problems to report regarding WorkSafe?

A few more work safe checks would be fantastic a lot of builders are dropping the ball and relax on safety too much on sites with regards to hand rails and ample safe working edges for trades. Just to name a few things. Correct ticketed machinery, overhead slewing when guys are around and many more things we need a greater presence so workers return home safer.
A review is needed

After meetings with WorkSafe inspectors I have no confidence in them as I believe that WorkSafe has aligned itself with business to the detriment of Ohs Reps. I have also dealt with regional managers of WorkSafe and believe that this statement which I have written is correct.

Always involve the HSR and the workers, ask the boss to leave when consulting with workers so they can speak freely.

As above in #8

As previous, more needs to be done to prevent workplace violence.

As the company was in breach of the OHS act I would have expected more support from WorkSafe.

Asbestos, hand out registers for people who have been affected when a BUBBLE is blown, down at the Melb University Apartments Parkville.

believe it when I see it

Bullying and harassment is still a big problem in the Health industry I feel not enough is being done to deal with this matter

by visiting the company an giving education, information to the employees to obtain the work safe environment

Come back

Come un announced, observe & you will see

Communication

Companies are becoming better at filling out forms to satisfy WorkCover but not consulting HSRs in the designated work area. Company seems to think consulting work group is telling the group changes are being implemented or have been implemented.

could be more helpful

disappointed

Do a better job!

Does WorkSafe cover traffic controllers and do they have Audits?

Don’t be dictatorial to honest workplaces

Fair

from the time we contacted WorkSafe to the time we saw the inspectors, totalled five weeks (approx.) during this time they had been in contact with the company but not us

General comment work safe should show more support to HSRs as they need help. HSRs can be doing it quiet hard. Show support by visiting sites now and then to talk and find out issues they are facing on a daily basis.

Get one of the inspectors to spend a night on a freeway.

Get your facts right first before big noting yourself because you are a work safe inspector.

Good ads on telly that’s about all.

Grow some.

Have inspectors that have relevant working experience in the construction industry. Stop playing politics with the current governments in power and just make the job safe. Stop Asbestos products coming into the country from China before they arrive. It is about time a system was in place to stop foreign workers who are illegally working in the building industry especially the illegal immigrants. The cash in hand/under award payments are out of control. There is no policing of this. The Chinese just get a student Visa/tourist Visa and don’t go back to their country.

Have over them come on to building sits and do not understand the industry.

Health is also an issue e.g. Noise reports should be asked for and ask what has been completed as recommended in the report. Even if it is all they do will have a far better outcome than a report that will never see the light of day.

Help & cooperate with oh&

Hire Inspectors that will do the job properly.

HSRs aren’t looking out for the workers most times just the builder.
HSRs need more support when it comes to making employers accountable for their actions. They should definitely engage more with HSRs and WORKERS and work with them instead of treating HSRs like idiots whose opinions are uneducated.

HSRs need support from WorkSafe and they’re not getting it

HSR’s need to be supported I also think there should be more focus on the minor industries like warehousing etc.

I am genuinely frustrated and annoyed at work safes stance on the various noncompliance issues. The employer has chosen to neglect their responsibilities and being the HSR I am powerless without the support of work safe

I believe trade unions offer a better solutions to issues that arise.
Working with all parties to solve issues not dealing directly with employers for a start.

I believe WorkSafe to be under resourced as I have rarely seen them on the job. The one time I did them only spoke to management, not to any workers.

I feel that they are always under the pump and need more officers. This might allow the officers to spend more time with issues.

I have a feeling that WorkSafe do not want advice or assistance from outside sources [ union ] regarding safety practices especially after an incident, [ the gate can be shut before the horse bolts so to speak ]

I have been fortunate not to require involvement of WorkSafe

I have heard of work safe in passing but am not educated at all in this area. If this is a key part of workplaces, I would suggest that significant improvements in workplace education on the topic is absolutely necessary.

I know visits are depending on resources but a more visas able presence by work safe would make a huge difference

I one day would like to be employed by WorkSafe and to start a career with WorkSafe.

I only wish I had private insurance so I could get back fixed quicker. I would even pay for it myself if I had the money.

Would get better treatment in a third world country. Treated like I am a bludger when I’d rather be working then living like this.

I think it’s a lot of tax payer $$ for very little

I think they need to get on the front foot with the unions, don’t let them dictate their workplace visits

I think they need to make more of an effect to ensure all or any paperwork is given to the HSR

I think they’re scared of the companies, from what I’ve seen it’s like they’re in the same bed with them.

I think WorkSafe should investigate all crane hire companies and do an audit on their safety systems to see if they comply. Most would seem to be fine on paper but if they looked closely they would see the cracks appear.

I want to see them more and improve the relationship

I would like them to turn up and actually put some heat on the company when required.

I would like to see more random inspections of vehicles and maintenance programs within my industry.

If called out do not make excuses. Will not call them again.

If leading by example the name WorkSafe should say it all, I beg to differ. Working hours, in our industry work is being performed 24/7 but WorkSafe have office hours which makes it convenient for them but not for us. Not just the construction industry but all work places in general.

If you’re a small company they come in big and tough. If you’re a large company they seem to step back

In larger companies they should not give notice of their arrival, they should just turn up and not give companies time to hide problems.

In our Industry Big company need to stop looking at making sure we have PPE every single minute of the day and look at the bigger problems we have on safety on that site and get it fix.

Incompetent

Inconsistency in penalties for where WorkSafe fines one company close to $1000000 and then another peanuts for the same offence

Inspectors are very respectful of the jo HSRs are trying to do in my experience

And upcoming with advice

Inspectors care more about avoiding conflict with employers than doing their job to enforce safety.

Inspectors must be familiar with their own policies and procedures for example the HSR policy paper.
Inspector’s need to stop taking company’s propaganda speeches and get on the floor to see actual problem, instead of sitting in bosses office when investigating a PIN

Inspectors should start fining employers when they breach

It seems to me that there are certain companies that have a long history of workplace injuries, incidents and workplace visits. DP World, John Holland are two that spring to mind. When conducting random inspections why not target those companies that are multiple offenders? Why don’t WorkSafe strategically plan to target these companies? HSRs that I worked with have lost faith in WorkSafe’s ability to resolve incidents...

It seems WorkSafe are scared to take it up to big companies with safety issues

It should include a support line for underlying bullying harassment and targeting of employees. There is little support for the little fish. Rather the big sharks seem to get away with continually doing things.

It simply doesn’t work as I have known 2 people who needed WorkSafe after they had a work place accident and had no help

It would be good if they talked to more workers.

It’s a waste of time and money, inspectors don’t care and one of them told me this to my face

It’s very political?

Just visit sites and get the respect of the reps back.

Just do their job I find they don’t have enough knowledge in high risk area’s such as crane’s

Just do your job.

Just get on the sites talk to the workers start stopping unsafe work practices by standing up and be counted and the respect will come

just that workplaces need more understand on safety for their workers not just that will cost money

Just to add that I would like to see more worksite visits during the construction of the project...

lack of prosecutions and the inspectorate itself

Lack of response to reported issues

Lack of updated publications

Less inspectors from university and more inspectors from the industry that is being inspected!

Licensing is an issue that needs to be addressed and overhauled

Look from workers perspective. Stop trying to get ‘rid’ of staff

managers not t rained in basics

Maybe they should try talking to the workers instead of the employers.

more inspectors

more inspectors needed

more pro management

More prosecutions

more site visits

more spot checks without notice

More support and guidance needs to be given to employers on being compliant and in setting up SWP’S, JSA’s & SWMS. Sometimes a safe method means purchasing of equipment Which is costly & timely and most of the time the job just needs to get done. more effort needs to be made in working smarter and workers mindsets changed so that jobs can be done safely without having to purchase special equipment

More visits are needed

Mostly I feel WorkSafe can be a little soft when companies have not met deadlines for PINs or resolutions.

Must seek HSR at arrival and work with the HSR.

Not turn up when incident happens

My concern is WorkSafe is not there for the health and safety of workers and the general public. They are reactive not proactive.

My recent experience was during a period of employment when I was on night shift. Night shift did not see any hint of WorkSafe, except what the Boss told us. I think WorkSafe needs to be more available to the workforce.
This is more relevant in a 24/7 operation. Often our HSRS are compliant company employees, this is because there is no real vigour from WorkSafe that is evident in protecting HSRS from persecution by the Boss.

My wish is to have a workplace in which WorkSafe has more regular involvement with DWGs, meaning more people on the ground to give workplace employees and employers a chance to meet and discuss relevant issues

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**NAR**

- need a bloody lot more inspectors with actual power
- Need more work safe on small to medium sized jobs
- need more inspectors
- Need more inspectors
- Need to contribute to finding appropriate outcomes
- Never show to sites enough
  - no
  - No
  - No comment
  - No it is pointless as there is no appetite for improvement or accountability
  - No not at this time
  - No thank god for CFMEU safety unit
  - No thanks
  - No.
  - None
  - Not at the moment
  - Not at this stage
  - not at this stage
  - Not at this stage.
  - Not at this time
  - Not enough inspectors on the couple of times I've called and complained no inspection happened as I couldn't give my name they wouldn't come
  - Not helpful with advice and assistance.
  - Not really
  - Not really
  - Not really other than there should be a review of the work safe employees they need to stop treating workers like fakes
  - Not yet
  - Never show to sites enough

**Open Public online register forum to ensure complaints have been lodged and followed. This so the public can be made aware of employers or businesses operating with bad safety practices. If such as system is permissible for the likes TripAdvisor where public seem to have the right to write whatever think about the quality of food, accommodation, travel and dangers. Then it should acceptable for the public or workers to publicly expose bad employers in the same way who continue practice and advocate bad safety habits, sometimes also placing the public at risk of injury or death, since presumably safety is also their business.**

- people on sites who don’t speak English need to be informed on WorkSafe issues
- Personally I think that after an inspector comes and gives the all clear on an issue he or she should do a snap inspection a week or so later to catch them out or a couple of snap or random inspections. We had one WorkSafe inspector spend 1/2 an hour telling 2 HSR s that filling out the Pin Notice that they could do nothing if we wrote the wrong name or address of the Visy site on the pin notice, to us that’s crap if the name of the company is on the form and the issue is real why all the bullshit over name address

- Not helpful with advice and assistance.
- Not really
- Not really other than there should be a review of the work safe employees they need to stop treating workers like fakes
- Not yet
Protocol should be to always include the workplace HSR in meetings and discussions or at the very least make contact with them.

Safety on sites is not adhered too

Schools are treated as unique environments where no outsiders want to get involved. There are no big machines so there is no perceived threat to workers but the threats of violence and the physical and psychological attacks on staff are very real.

should support HSR's more

Sometime the people on the other end of the phone isn’t really interested not enough work inspections

Sometimes trivial little issues are over focussed upon

Start issuing fines, not warnings!

stop these fly by night training venues who do not train properly, are only interested in the money, how can anyone be an advanced rigger in 2 weeks, or go to school for 5 consecutive days and get an open crane ticket (and who has never operated a crane) is beyond me and trainer & assessors who give away tickets for cash

Strengthen laws and introduce criminal penalties to imprison Company Directors as well as lengthy (at least a decade or two for every executive sitting on the board of a company involved in such practices) when they choose to use dangerous materials and install materials containing things like asbestos or aluminium cladding for the profit of their shareholders regardless of whether such materials were sourced locally or imported. The powers and penalties of associated bodies like ASIC should also be increased.

Take way too long to attend site

Tell your inspectors to do their job what they trained to do test

The Act needs to be adjusted in order to allow all HSRs to enter their workplace regardless of the hours of work they are contracted to do.

The advice provide by the WorkSafe help line is contradicted by the inspectors. WorkSafe inspectors should be familiar with the WorkSafe advice documents. I would expect that inspectors would make decisions in line with their written advice. I expect the inspectors to provide advice to HSRs on their visits. I expect the inspectors to interview employees when the HSR recommends it. Inspectors do not appear to be comfortable in understanding the OHS issues in the educational sector.

The advisory line often tries to fix issues they have no knowledge on instead of passing the service request onto the relevant inspectors

The government needs to give WorkSafe the money and power to give support to the workers.

The inspectors in most cases are not the problem, it’s the people above in what direction they are giving.

The inspectors need a lot more training. I requested for the first inspector to document that whenever an inspector came to my work place they must request to see me. When the second inspector decided to not get me from class I called her and complained. I explained that I had asked the previous inspector to document my request. She informed me that different departments didn’t share that type of information. Really with computer access being so easy how is it that they don’t share information

The inspectors should have a construction background.

The whole system needs to be more approachable and involved actively with the rep e.g., compulsory 6mth inspections with WorkSafe and the rep to address any issues that may be in a grey area to the rep and to give a point of contact that’s approachable to the rep, so it’s not the rep going against the staff or management (support)

The will to enforce the policy in practice. You feel powerless as an HSR.

Their inspectors will need to be taught on the basis of the different trades we work in and will need to uphold the Law of the OHS Act and Regulations no matter who the employer is Private or Public. Show some respect to HSR’s as this is a volunteer role and also ensure the reps are present when they enter the worksites. Insist that management ensure HSR’s are involved every step of the process.

There are huge issues around mental health and staff wellbeing in my workplace that need addressing and as a HSR I know it is my job to report these to the Principal but the main issue rests with the Principal who is not receptive to being informed. I find this a very difficult and delicate situation and am really at a loss to know how to go about getting some action.

there doesn’t seem to be anyone to ring if there is a problem with compliance on none union sites
There is a lack of consideration by the organisation to replace sick or staff on stress leave. The remaining staff have to carry the load for weeks or months at a time before staff are replaced. We are told we are unable to say no to unreasonable workloads just cut back service so quality declines and stress levels increase.

There is an absence of policing substandard construction sites.

They are about as good as the FWC!!! Only there for the bosses not the workers anymore

They are not for the workers at all just big business

They are not interested in pursuing issues in the Power Industry.

They are not on the job all the time so cannot police a site to an industry standard.

They are toothless tigers like the ACCC

They came back 4 months later to discuss the situation and noted we were still having trouble. I was told they would be back in 8 to 10 weeks, it has now been over 4 months.

They could do more to support HSRs

They did not take my bullying case seriously, they still have not investigated it fully it’s been 2 years

They don’t talk to us they only listen to management.

They need people from the construction industry to become inspectors

They need to be more active in creating legislation which protects workers from potentially fatal hazards across all industries

They need to do what they say they will do and make workplaces safe for all workers. They need to listen to what workers are saying, after all it is these workers who are doing this job

they NEED TO INVESTIGATE PROPERLY AND NOT LISTEN ONE WAY

They should make a point of talking with the HSR when visiting

They were to slow to respond to the workplace issue. And the inspector tried to talk me around to support the company’s position.

This dispute took almost two years to resolve. As an HSR, instead of having to get to the point of an expired PIN, I would have appreciated the opportunity to have direct WorkSafe support much earlier.

To follow up accordingly. Given the fact that I have a diploma I would not be ringing you if I did not have a valid concern/issue.

To soft

Too worried about getting involved with unions or it getting ( industrial) rather than effectively trying to fix the problem and too lenient on the employers

toothless tiger.....useless against big companies

Training with the connection of innovation by skill and educated professionals reduces the risk of damages caused in workplaces. Work safe is very important.

Unfortunately, later meetings of this group excluded HSRs. Very disappointed

Unsafe of the overall process and involvement the WorkSafe provides

Until WorkSafe stop being a political football all they are doing is helping the employers put workers lives at risk.

Waste of tax payer money in my books

We need some inspections I have worked for the same company for 31 years and have never heard of an inspection ever

well WorkSafe should have kept the case open and spoke to other employees and gave them the opportunity to speak in confidentiality because so much was going on and they were too scared to speak up

WHAT THE ## is HRS

When called for unsafe work being reported u need to address the concern not wait till an incident has occurred then turn up

Why bother calling them our if they don’t do anything?

why do they let b class asbestos removalists do a class work

WorkSafe is not representing the safety concerns in the work place, but hiding and protecting the bullying management on the factory. As a safety rep got no help from this unscrupulous WORK SAFE institution at all.

Work Safe need more inspectors that are linked/educated to area’s that they are assigned too.

No point having an inspector that come from non-manufacturing looking after Manufacturing as Managers are
good at lying to them or bending the truth. There should also be more alone time with HSR’s and inspectors where free speaking can occur with inspectors and not have Company Managers hanging over the HSR’s. WorkSafe should also have a HSR forums, this would allow for a closer working relationship with HSR’s across multi industries.

WorkSafe need to create strong relationships between them and the employees to really know what’s going on in the various companies in Australia.

Work safe need to investigate any staff persons concerns about client’s violence & workplace noncompliance/lack of safe work places & practises. Work safe needs to consult staff, not management on work place attitude toward all staff safety concerns. The law needs to change so that clients who assault staff are charged under the law like anyone else if there are reports stating clients know full well what they are doing. There needs to be mandatory Zero tolerance towards violence perpetrated against staff in any form across the board in all industries. I’m sick & tired of no one listening or acting on very real concerns. Clients should be no more allowed to assault me as I can them, this current system is not good enough. It maybe their home but that does not mean I have no rights to safety & proper work conditions.

Workers and HSRs are denied the right to cease work when exposed to immediate threat, workers fear penalty under ‘FAIR WORK ACT’ laws and do not effectively use this basic right and lifesaving mechanism.

Workers to have more say

WorkSafe are not the problem. The organisations disregard and refusal to listen to complaints is the problem. Most problems should be able to be resolved however our organisation treats regulations more like guide lines that should be considered rather than rules that must be followed.

WorkSafe inspectors should engage more with groups of employees other than HSRs. HSRs are left to encourage people to exercise their rights and it’s not fair and very difficult to overcome the culture of distrust of WorkSafe and fear of employer retribution. Inspector should be champions to worker and feared by the employer responsible for our wellbeing. The opposite message has been received loud and clear.

WorkSafe investigators seem to do a wonderful job. However they come into the picture after the event. Inspectors seem very soft and are willing to toe the company line with and corporate rhetoric

WorkSafe is an issue in our sight as the HR manager is causing a lot of unnecessary stress on our employees including myself and other union delegates

WorkSafe is understaffed and under-resourced. This needs to change for WorkSafe to have a real presence in the workplace and training room. Hopefully, this will one day change.

WorkSafe must make onsite inspections to understand the real issues. It is hard for the workers to contact WorkSafe because they are afraid company may take action against them. So it is WorkSafe’s responsibility to support workers in on a humanitarian ground.

WorkSafe need to do random inspections and more often, on the few times we have had them we have been given warning and it’s the only time the company halts all productive works and makes sure all safety is in line with SWMS. Defeats the purpose of all the paperwork and the inspection as a whole when this is the attitude

WorkSafe need to start being proactive in health. Not just reactive. They also need to employ inspectors who understand health and start holding health employers to account for their actions and inactions.

WorkSafe needed to talk to more people responsible for the job where the accident occurred in a confidential manner.

WorkSafe needs to be there for the workers and not for the builder. It feels WorkSafe just helps the builder and is there in theory

WorkSafe needs to employ experienced people who have worked onsite & understand the importance of safety & act fairly to all parties.

WorkSafe pays lip service to health and safety. Inspectors lack an understanding of workplace issues especially emerging trends, health and safety systems and for this reason I say why bother with a regulator. Perhaps we ought to upskill our HSRs and let them enforce the laws.

WorkSafe should support injured workers when dealing with the insurance companies during the claim process. WorkSafe was set up to protect employers and manipulate workers into believing they were going to be protected. filling out all the bullshit over complicated forms that is required can be very intimidating for many workers not to mention that injured workers aren’t in a good mind set to be filling out forms that may come back to bite them on the arse when lodging a claim.
Would love them to turn up at an OH&S committee meeting. We are not fulfilling our own KPIs and it is difficult to get the management to report incidents accurately and timely. Riskman is seemingly hard to disseminate into reportable categories. There was a fire at the hospital, requiring evacuation and the whole issue was about to be shoved under the table and not discussed at committee level. Only after questioning by HSRs was the fire discussed.

Yes. Get out of the office

Yes I think WorkSafe is great for our industry if it was to be impartial in its decision making, instead of who is paying their wages and the political influence in there outcomes

Yes they need to police how shonky contractors execute their work

Yes until they investigate independently from the company then it’s not really an investigation it’s a company report of what they believe happened....

yes work safe needs to override this sort of thing and ask to talk to the workers and or HSRs

If you had the power, what would you do to improve WorkSafe?

<table>
<thead>
<tr>
<th>Abolish it</th>
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<tbody>
<tr>
<td>Accountability</td>
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<tr>
<td>Allow “union assist &quot;representation to be present when interviews are taken by this monsters in the Work Safe to keep them honest and fair. at the moment they think they can support and hide evidence of bullying done by the work place despite enormous evidence given.</td>
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<tr>
<td>Appoint an OHS Ombudsman</td>
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<td>As much as possible so the workers all go home safe at end of shift</td>
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<td>assist businesses with oh&amp;s systems</td>
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<td>Awareness about their role</td>
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<td>ban Comcare in Victoria</td>
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<td>be a little harder on companies</td>
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<td>Be equal with all companies</td>
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<td>Be more present at work places not just on paper.</td>
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<td>be more supportive of HSR’s increase workplace visits, when on site ask for relevant information like risk assessments etc.</td>
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<tr>
<td>Be on a work site and see how it really works day to day they might have a better understanding need more experience people thanks to the union I feel safe</td>
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<td>Better inspections of workplaces</td>
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<td>Blow it the fuck up and start again</td>
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<tr>
<td>bring in people from the work place as inspectors “ i.e. “ construction people = inspectors give the union more access &amp; inspections onsite regarding safety on site , WorkSafe should work with the CFMEU on safety not hinder the union , after all it people’s lives at stake</td>
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<tr>
<td>by hearing the employees concern and do something about it, to improve the working safety environment</td>
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<tr>
<td>Change the licensing requirements</td>
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<td>Change the middle management that controls the inspectors. Employ inspectors that come from the construction industry and are prepared to enforce the act and the regs</td>
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<tr>
<td>Change their perception, look after workers safety and hold companies more accountable?</td>
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<tr>
<td>Cheer them up .to continue their good work</td>
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<tr>
<td>Clean out all dead wood. I’d do that with HACSU too, or any other organisations that require it.</td>
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<tr>
<td>Come on the job more</td>
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<tr>
<td>Comprehensive review of all components into the running of WorkSafe</td>
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<tr>
<td>Compulsory OHS training for management positions in any industry</td>
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</tbody>
</table>
Create an active presence within the workplace, advice and educated both employers and employees of their responsibilities with the aim to reduce work place injuries. Take every complaint seriously. If continual noncompliance continues then escalate the issue further so that employees are not exposed unnecessarily.

Do as you say you are going to do, support HSR in the workplace better. If HSR are targeted for raising safety issues by Management need to come down hard with big fines or jail term. We had management trying to set up a HSR for dismissal, it was reported to WorkSafe and still very little action.

Don’t know

Double the amount of inspectors accidents happen in the workplace not in exhibition street

Drag it into the 21St century

Educate more people on it

educate the employers

educate THEM

Education. I wish I could say more, but honestly, given my lack of knowledge as a worker I would say better education is what I would be investing in.

Emphasis on supporting injured staff not just getting them off work care payments.

Employ a lot more inspectors and pull those from experienced workers who know how a building site works this experience is of more value than some who have only got their OH&S certs in class not just building sites inspectors should come from the occupations they inspect.

Employ CFMEU reps only

Employ inspectors for the trade and they know what needs to be done. Inspectors need to speak to all parties and even after speaking to management need to come back and provide the feedback to the HSR before they make their decision as om most occasions in my experience they are told a whole lot of fibs. Hold up the law equally for both private and public business and they should not show favouritism.

Employ inspectors with construction experience.

Employ Inspectors with experience in the larger construction sector

Employ more inspectors

Employ more inspectors and more qualified experienced people

Employ more inspectors and other resources that benefit all industries

Employ more inspectors and send them out to potential incidents when someone calls with a genuine concern for public and workers safety

Employ more inspectors and visit sites a lot more

Employ more inspectors for site visits

Employ more inspectors who could have maybe an annual meeting with major hospital HSRs. Aggression. And violence in hospitals is a huge issue.

Employ more officers

Employ more people who know the job rather than people out of uni. I think

Employ only tradesmen for the construction division, then train them to meet the legislative requirements.

Employ people who want to protect workers in high risk environments.

Employ people with construction experience

Employ people with real industry experience who have actually spent some time on the tools and understand what’s involved

employ people within WSV who have OHS knowledge, prosecute more employers who contravene the Act - particularly around s35

Employ workers and train more people to police rogue work places

Enforce workplace safety rules

Ensure a safe work place and for management to listen to the workers

Ensure cowboys are prosecuted and their licences revoked.

Ensure inspectors consult with HSRs/workers in the first instance, that they leave copies of reports in the lunchroom etc. so that workers can access it, that they leave contact details for workers to contact them outside
of the workplace to report concerns they might have that they can't mention in case they get sacked. Also don't
give the boss notice that you're coming, when you do them clean up and try and hide all the OHS issues before
you come. Please also take heat/cold issues seriously.

Ensure that risk assessments and SDS/JSA/SOP are mandatory, up to date and accessible to all workers. Make
unannounced visits to random worksites. Follow through with all aspects of safety and not those that will 'tick
the boxes'.

Ensure that there is consistency in the advice from the helpline and inspectors. Inspectors help HSRs to solve
issues and support them in any process they are involved in. Ensure that WorkSafe ensure that the written
advice that they have provided is followed in workplaces.

Ensure that they have as part of their mandate to educate and visit HSR's in their workplace

Ensure the people that they are protecting are the employees not the management.

Ensure they act independently & resolve issues in a fair & measured manner.

Everything

Exercise it more

Fine the asbestos company that was there, because at least 40 construction / University students were there at
the time. (Hygienist didn't even know where to put the air monitors) He also let the asbestos company
JACKHAMMER BLACK JACK in an open environment.

First thing will be educate the workers about their right to stand up talk for their safety and aware about their
possible hazards and injuries.

First thing will be educate the workers about their right to stand up talk for their safety and aware about their
possible hazards and injuries.

If necessary stop work til rectify the issue.

Focus on enforcement and HSR support as education clearly isn’t working.

Prosecute more cases under more sections of the act to create legal precedent and deterrent.

Focus on safety not be friends with management

For one I would employ more staff and have them monitor the smaller builders in particular

get back the funding stripped from you by the liberal govt so you can have more officers on the ground and get
back to being an organisation that business fears and respects and can successfully prosecute offenders.

Get better training for the inspectors. Get them training in conciliation rather than bulldozing with their over
inflated sense of power.

Get inspectors on to sites on a weekly basis not when there's been a serious accident or fatality

Get Inspectors who understand about workplaces and workplace relations and aren't afraid to confront
management.

get more inspectors and give ohs reps more power

Get on more of these bigger job sites around the cbd area, to many trades on to tight of a deadline makes for a
unsafe work environment

get rid of those little builder because there sites are a death trap

Get rid of WorkSafe upper management, because I do understand it's a business, but they have forgotten the
most important part, health and safety of workers.

Get rid of most of the field officers and employ people who really care about oh&s and make sure that work safe
holds employers accountable

get the HSRs and let the unions more involved

Get the inspectors to visit all work site's on a regular basis

Get them to be active on the jobs

Get them to come to workplaces more often and check things out!

Get them to do more onsite inspections

Give them more powers to fine company's for not complying with pins

Get WorkSafe officers doing project work, consulting

Give it greater powers and reach and to make sure all avenues and aspects of its powers are felt by those
employers and businesses that don't abide by its statutes and regulations.

Give more funding, greater powers and more manning

give more powers...make it more proactive
Give more translated resources
Give the union more power as they don't stuff about
Give them back the powers from years gone buy and not employ academcts employ experience long term construction workers that have hands on experience
Give them more power to enter worksites
Greater levels of involvement of inspectors in Reportable incidents.
Greater support for HSRs - time for Inspectors to talk, consult & advise with practical solutions rather than technical rulings
Have a better communication relationship with the HSR & DWGs
Have a list once a year visiting the workplace and speak to all HSR about issues in workplace, especially when you have lots of WorkCover claim
Have a person to contact directly and deal with confidentially.
Have dedicated officer to industry that they gave some experience in
Have inspectors which have come from a trade background
Have more inspectors
Have more inspectors and increase fines for non-compliance
Have more involvement and understanding in construction. Engagement with the union and workers is critical. Rather than the "safety team" of companies
Have more officers on site
Have more power
Have more random drop ins on companies
Have more visits
Have them involved in the training along with the union in HSR training
Have them more visible in the workplace - more visits and interaction with staff.
Have them visit factors more often
Have two inspectors visit each worksite, one to view reports e.g. Dust, Noise etc. while the other one does a workplace tour with the HRS and a low level of management or better still, none at all
Have undercover inspectors
Have WorkSafe prosecute companies that continually breach OHS laws and put workers at risk. MUST HAPPEN if not companies will continue with safety breaches as there is no penalty!!!
Help HSR reps more
Hire more inspectors
Hire people who have sound practical experience and understanding of the OHS ACT. More focuses on prosecutions and spot fines, use the prevention fund to set up an OHS Ombudsman.
Hold them accountable for their actions
Honestly & fair work
I am uncertain as I have never had a chance to speak to an Inspector to check what history, experience, and knowledge that have about general Chemical storage/safety.
I don't know that they need to improve
I have written to WorkSafe, WorkCover and both major political parties about providing a service to injured workers about what they should expect from the claim process and how it could affect them and their families. They all felt it wasn't necessary. I was injured in 2005 and I am still suffering because of what I went through during the claim process. Not the actual injury.
I haven't had a bad experience with WorkSafe so I can't comment
I like the improvements made more visual
<table>
<thead>
<tr>
<th>I somehow would re-educate the inspectors to be have a bit more common sense when dealing with problems</th>
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<tbody>
<tr>
<td>I think inspectors should have industry experience, a background knowledge of why, how it happens.</td>
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<tr>
<td>I think they do a good job as it is</td>
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<tr>
<td>I will encourage and check and balance the situations of workplace and provide accessible information for all.</td>
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<tr>
<td>I would ensure that WorkSafe representative tried to visit every worksite at least once in a week. I was three years at JVC and I only saw WorkSafe there once. With their presence, the company cooperates more.</td>
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<tr>
<td>I would have a HSR, I would have more involvement in safety</td>
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<tr>
<td>I would like to see a different department that deals with just schools as it is a totally different environment compared to other industries. Previous teachers that have then become inspectors would be ideal. They would know the questions to ask and the things to look out for.</td>
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<tr>
<td>I would make Work Safe attend a meeting with HSRs on site at least once every 3 or 6 months to get a feel of what problems they are finding difficult and if companies were aware of this they may be more compliant</td>
</tr>
<tr>
<td>I would put more inspectors on, I would try to stop the Govt of the day taking away funds that employers pay in to cover WorkSafe IE (premiums) as they are there for a reason not for a govt to squander. I would have many more managers in court as all they want to do is look good to their boss for saving money, hit them and fine them so company’s like Visy start to take notice, and WorkSafe has plenty of money for more inspectors and lawyers</td>
</tr>
<tr>
<td>I would start at the beginning i.e. job applicants should have at least a qualification in OHS when applying for a position that can prevent who lives who dies and who gets maimed it’s a Big call every day for us reps everyday</td>
</tr>
<tr>
<td>I’d do a clean out of the inspectors in Ballarat. Lining up with company positions might give them an easier life but workers are being exposed to unacceptable conditions. There needs to be more resources to support HSRs. I’ve noticed they’re less likely to get the training of their choice these days if travel or accommodation is a factor</td>
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<tr>
<td>I’d probably improve their staffing levels. In a regional centre such as this they are stretched beyond reasonable boundaries. No I am not connected in any way to a member of WorkSafe.</td>
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<tr>
<td>If I have the power, I will create strong relationships between the employees to know what to do and what not to do. Not one day relationship.</td>
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<tr>
<td>I’m happy with WorkSafe</td>
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<tr>
<td>Implement fire drills and evacuation procedures.</td>
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<td>Improve communication</td>
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<tr>
<td>Improve people’s knowledge. Make WorkCover process less strenuous.</td>
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<td>improve reaction time to site vast unsafe work place</td>
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<tr>
<td>improve the plenty for company and make more training for the HSR</td>
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<tr>
<td>Increase the number of inspectors, and push them to make more timely prosecutions. Demand that they give reps support they need to make safer workplaces.</td>
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<tr>
<td>Increase numbers of workers to increase walk ins and provide workplace education sessions</td>
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<tr>
<td>Increase the amount of officers and have more random checks on sites. Make sure they align more with the union.</td>
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<tr>
<td>Increase the investigative powers of WorkSafe including giving OH&amp;S officers greater powers of seizure, freezing of company assets and interrogation of construction company executives. A compensation/public remedial address function could also be setup to determine the cost to workers and Victorian taxpayers of dangerous/sub-standard materials. Investigators should also be equipped to both source and trace the transaction history of contracts (suppliers/vendors) entered into and where companies have lacked proper due diligence. Costs should also be recouped from the Commonwealth Government especially considering that they have now entered into the CHAFTA agreement and the State of Victoria shouldn’t have to pick up the tab for failures to detect dangerous building materials at Australian Ports of Entry. Any deaths resulting from dangerous business practices should also become punishable under the Crimes Act as either industrial homicide or manslaughter.</td>
</tr>
<tr>
<td>Increase the number of inspectors and investigators with a more diverse background than just a legal background, offering the training required to fulfil these role’s requirements.</td>
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<tr>
<td>Increase the number of inspectors. Make a compulsory ohs course for businesses over a certain amount of employees so they have a greater understanding of ohs.</td>
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<tr>
<td>Increase the numbers of inspectors. Increase the amount of the fines tenfold till it becomes an actual deterrent. Snap inspections without notice to stop cover ups.</td>
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</table>
Increase their power and funding.

Individual accountability

inspections number

Insurance companies removed from the process and a specialised panel of doctors and specialists that are neutral to the outcome of the injured workers claim.

Internal undercover operators.

Introduce a new white card with a photo like a license with an ID check point system as strong as the banks require. This would clean up the industry corruption rorts to an extent.

Investigate all enquiries, penalise guilty parties

Involve HSRs at all levels

irrelevant I don't deal in theories

It needs to be made clear not everyone has their own opinion

It takes too long to get to your work place

IT's Pretty good at the moment

Legislation to protect HSR in their job to persevere people that raise Heath and safely issues to be protected from big employers

listen to each case and try and help injured workers not push them to the side and forget about them

Listen to workers, stop treating us as animals/machines

Make changes to dig deeper into company compliance. Most companies say they comply but if you dig deep enough you will find it is mostly a facade.

Make dealing with work safe more positive and more HSR support

Make inspectors more proactive.

Make it less punitive, and more proactive

Make it mandatory by law to have a minimum ratio of inspectors per the number of people in the workforce so that funding cannot be cut, no matter who is in power in government

Make it simple and not to scared for some blokes. After all they still make mistakes because they are constantly aware of rules. There is a big list to make it more safe with less prestart and inductions. But I know there is no point to put everything here, obviously this will be ignored.

Regards

Kiki

Make it truly independent.

Make it truly separate with more approachable and accessible staff. Hard to keep going through web or phone switch boards for advice.

Make mandatory contact to employees where an injury ended in a hospital visit or multiple days off work. At very minimum by phone

Make standard procedures across all industries

Make self-insurers, the WorkSafe person who oversees self-insurers and inspectors more accountable.

Make sure smaller businesses face the same pressures as large companies, because with less regulation smaller businesses undercut wages and conditions for everyone

MAKE THE COMPANIES TO SLOW DOWN A BIT! THIS DAYS EVERYONE EXPECT YOU TO RUN! TO DO EVERYTHING FAST....

Make the process of HSR in workplace more transparent and clearer on "how/when" to contact WorkSafe.

Make them 100% people focused as they are the most important asset of a company

Make them act more independent.

Make them all do proper training in the field that there working in and change the law to protect HSR'S

make them communicate with the workers
Make them engage HSRs more as well as WORKERS to truly see the challenges the workplace really faces. Also when WorkSafe come on site to talk with management nine times out of ten they don’t make contact with a HSR or engage workers at all.

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<tr>
<th>Make them engage HSRs more as well as WORKERS to truly see the challenges the workplace really faces. Also when WorkSafe come on site to talk with management nine times out of ten they don’t make contact with a HSR or engage workers at all.</th>
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<tbody>
<tr>
<td>Make them fully an independent authority with industry stakeholders on the board.</td>
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<td>Make them like community visitors, random more often visits to the houses</td>
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<tr>
<td>Make them listen to workers not employers</td>
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<tr>
<td>Make them more independent and not so government influenced</td>
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<td>Make them more transparent and open to the public.</td>
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<td>Make them responsible for workers safety</td>
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<td>Make them user friendly</td>
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<tr>
<td>Make them what they should be an Independent umpire looking solely at the Act. Not what they are now which is a political party</td>
</tr>
<tr>
<td>Make WorkSafe stronger with more power and work hand in hand my trade union.</td>
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<tr>
<td>Mandatory response to inspect any workplace/home where concerns have been raised by workers. Mandatory Zero violence tolerance in all work places. New laws &amp; Acts with regards to charging an individual who knowingly injure &amp; show intent worker/s because they know how to play the system.</td>
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<tr>
<td>Maybe increase staff so they can make more inspections</td>
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<tr>
<td>Minimum $1 million dollar fines and jail time for the guilty.</td>
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<td>More audits as there is a lot of cowboys out there. Especially on non-union sites</td>
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<td>More compliance by the builders</td>
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<td>more consistent approach</td>
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<td>more consultation on jobsites</td>
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<td>More Drug &amp; Alcohol test been in this industry for 13 years and still haven’t seen a test done.</td>
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<td>More employee involvement.</td>
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<tr>
<td>More experienced inspectors that have worked in the industry</td>
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<td>More focus on mental health</td>
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<td>More funding.</td>
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<td>More honesty</td>
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<tr>
<td>More inspections to work sites by Work Safe. In six years at my place of employment I only know of one time WorkSafe have been inside where I work and not just the front administration office.</td>
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<tr>
<td>More inspector</td>
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<tr>
<td>More inspectors more visits to worksites and more prosecutions where appropriate</td>
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<tr>
<td>More inspectors Greater powers Working with OHS reps</td>
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<tr>
<td>more inspectors ,random drop ins</td>
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<tr>
<td>More inspectors across the industry to perform more random spot checks.</td>
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<tr>
<td>More inspectors and easier ways to have sight inspections</td>
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<tr>
<td>More inspectors and less tolerance of companies breeching OHS legislation.</td>
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<tr>
<td>More inspectors and more inspections</td>
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<tr>
<td>More inspectors and on the spot fines.</td>
</tr>
<tr>
<td>More inspectors attending site</td>
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<tr>
<td>More inspectors covering more sights</td>
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</tbody>
</table>
More inspectors, more readily available.

More inspectors per area

More inspectors with experience in the fields they are investigating inspectors to walk on construction sites at the start of construction through to the end just like what the CFMEU organisers do and safety unit looking after the workers even run toolboxes to explain what the employee is responsible for on the job

More negotations within the actual workplace and interviewing staff to get an idea of what they think can be improved. I think people who work there have a better idea of what a solution to the problem can be. We didn't know what was available to help us solve issues.

More officers with industry experience not uni degrees

More on the spot inspections

More policing and unplanned visits. Make companies and directors more accountable. Better persecutions and heftier fines jail terms for those who don't comply.

More power to inspectors over stopping unsafe work before it happens not letting the bosses show them something small and letting the inspectors go. Having power to really come down hard on repeat offenders and not just another PIN $$$$$$

More power to prosecute and fine Principals who fail to protect and support staff

More power to prosecute shifty employers

More presence on site

More proactive visits, whistle blower hotline

More safety officers to pro troll work sites ASAP

More safety checks in supermarkets.

More site inspections targeting builders & bosses

More site walks and by site walks I mean UN scheduled so the dodgy ones can't have time to make the changes to keep them happy.

More spot inspections, like to see them deal more directly with people on the shop floor than talking to management. They should be able to talk to people without the boss hanging over their shoulder.

More staff

More support for HSR's

More surprise work inspections

More surprise inspections

More transparent

More unscheduled visits

More visits to worksites and the HSR on site to have more authority with workers

More voice and WorkSafe need to back up the HSR

More worksite visits, more communication and feedback between them and workers on site.

More inspectors.

n/k

need more site visits

Need them in the workplace on a fortnightly basis.

Need to make some guidelines law.

never had to deal with any issues so everything seems to be fine as far as I'm concerned

New management

nil

No

No comment

No comment.
Not much at all
not sure
Nothing
office staff need to be pulled up and told, at the moment they have the gun and all the bullets we are kept in the dark
Paper work can be overwhelming. More informal visits
More education to workers
Place inspectors into an elite "after hours workplace inspection group", thereby giving WorkSafe the ability to inspect the workplace without restriction.
Prosecute unsafe employers before they injure workers.
Protocol should be to always include the workplace HSR in meetings and discussions or at the very least make contact with them
Provide a sufficient amount of inspectors that are independent and unbiased as a government agency
Provide an employee help line with accurate information to employees who are being targeted. People sometimes need someone external to speak to in order to get things off their chest.
Provide HSRs with an early intervention support unit. Provide a PIN writing template for HSRs without well-developed literacy skills. Provide a WorkSafe/HSR orientation pack for all new HSRs. Maintain an HSR data base and use it to communicate with HSRs directly. Assist HSRs with Networking to share knowledge, skills and outcomes. Collect data on HSR demographics, current HSR intentions for the future and undertake a second yearly HSR survey to check on HSR welfare, needs and the status of relationships with employers
Provide links for construction workers to research ways of doing a task safely
Put in or hire people that are experienced in that field. Prosecute the bosses or builders and make them accountable for their actions.
Put more people who know task specifics to inspect
Put on more inspectors on with knowledge in construction
Put people in the industries they know. Example a commercial carpenter for commercial projects not a domestic plumber to a commercial site.
Put people in there, that back up the ohs act to start with. Also make law that all workplace inspectors are held accountable.
put polices in place to make bosses trained up and make their employees more educated and competent in regards to their own/and others lives to help reduce the serious injuries and loss of life on site
Random inspections with no warning, heavy monetary penalties for non-compliance, and increases to penalties on recurring infringements. Increased communications to the workers
recommendations to be enforceable
Recruit independent resources to find the defined root cause of major failures before a fatality occurs
Recruit workers to become inspectors not university students that have no idea about The workplace they are inspecting, work with the unions to make the industry a safer place, educate inspectors that the union movement is the reason that WorkSafe exist. Start enforcing the act and regs and prosecuting employers that put workers life's at risk so that employers take WorkSafe seriously and not the laughing stock it has become.
Reduce manager power and more negotiations in the workplace.
Regular refreshers
reinforce the independence of the organisation
Remove the person making the problems
Remove them
Replace it
Require inspectors random attendance at sites after an initial visit to demonstrate to employees that somebody is vigilant like in the tv adds. Be aware that friendly relationships are formed between inspectors and OHS managers. Managers are skilled negotiators and are obliged to limit damage to the company. Employee safety is only one of several factors the manager considers when discussing solutions and that may compromise safety. Employees or their representative’s views should carry more weight.
Information exchange to all affected parties is very limited. Ability for HSRs or employees to be anonymous to
the employer but known to WorkSafe when making a complaint that requires a visit. Complaints made anonymously become between the employer and WorkSafe. The person making the complaint cannot receive feedback despite indicating that fear is the reason for the anonymity.

Review test papers on basic rigging and dogman tests

rewrite the whole thing

Rewrite the 'stop work clause' to exclude 'must consult' as it’s not always possible.

Rotate inspectors - reduce cosy relationships between Inspectors and employers. Make Inspectors & WorkSafe liable for accidents that occur on issues after they have inspected them. On the spot fines for breaches - not the current INSPECTOR 'I'll walk away and pretend I didn't see it - while you fix it - then it'll be like you never put workers lives at risk, and you can continue to do so'' . MORE FOCUS ON RISKS TO PUBLIC - in electrical industries, where it is the public that is at risk as well - WorkSafe turn a blind eye, not their problem apparently. DEVELOPERS NEED TO BE LIABLE FOR UNSAFE CONTRACTORS. It is now endemic, developers use contractors to cut costs and evade liability for unsafe practices for workers. By enabling developers to evade responsibility for engaging unsafe contractors - systemic safety issues worsen - now the public is even at more risks. Inspector’s reports must be PUBLICLY AVAILABLE DOCUMENTS. INSPECTORS MUST BE REQUIRED TO HONESTLY FILL IN REPORT ABOUT 'CONSULTATION WITH WORKERS AND DWGS - THEY CURRENTLY LEAVE OR TICK THE BOX - BUT THESE PROCEDURES DO NOT OCCUR.

sack the lot of them and get people who actually care about public safety

Sack the lot of them and put real workers in their jobs who know the industries and work places.

Safe working with Solvents on site for water proofers and roofs

Safety is a black and white issue. Like to enforce policies.

Scrap it and start again.

See companies prosecuted and have onsite tag along to see them at work

Send the inspectors back to school.

Show up un announced

Sometimes it’s hard to understand another language for safety reasons

spot checks

Stop and force dodgy builders to comply with regulations

Stop non eba builders pushing 12 hr days

Strengthen the protection provisions for HSRS, particularly for future employment. Get serious enough about you prosecutions of employers who flout the Act/Regs, and it happens every day. Get Harder!

Strengthen the inspectorate. Start doing what they are supposed to.

Stricter enforcement of breaches reported by HSR’s. One warning, then fines.

Support injured workers more

Take a genuine proactive approach when working with HSR. Not walk into a work place complacent assuming all is ok. Make school a lot more accountable I have colleagues in schools who don’t know anything about ohs. Make ohs DET modules mandatory, not all staff do them. Make staff in school accountable. Edusafe reports are not encouraged in my school

The call centre needs to provide better information. Issuing a PIN for everything is not the solution

The power to attend quickly to reported breaches of safety. The power to talk with employees with confidentiality of those employees.

The union has made a rod for its own back.

Their communication with HSR. Have them speak to staff and not just management.

There is so much to do to improve WorkSafe at work.

They are doing a good job in their current capacity

They don’t seem to come to building sites .only small factories. Small business. Like in their ads

They need to follow up on claims the Company makes around training and safety. Paper work and theory is not practice

They need to prosecute employers that put workers lives and health and safety at risk routinely.
They should work together with union officials to keep to highest of safety standards on all sites

Think that is very good currently

Thoroughly check my designated work area is 100% hazard free to work.

train management to understand

train people off the shop floor, allow union access when an incident occurs, work together as a team not as enemies,

Trust the injured party and their medical team and not make them jump through hoops to receive basic care

Try to explain to the employer that there can be a better way and they can still get the same production. Each individual place needs to be looked at.

Unannounced visits twice a year as have not seen an inspector visit in 5 years.

Union involvement

visibility more visits to

More workplaces

Visit

Visit more

Visit workplaces without notice, because once the employer knows that WorkSafe is attending the premises...

Employer will have the place looking good for the visit only... the only way to be effective to visit without notice...

Visits not announced.

We need regular meetings with the inexperienced reps to get support and have a better understanding to OHS and being able to be confident and active as a rep. I have many ideas e.g.; tap/hose system in all laundries to prevent lifting heavy awkward buckets up and down.

When someone ring's WorkSafe naturally you would think they would respond, to a health and safety matter.

Work locations that have 10% of their rostered staff off on work cover should be reviewed and asked why.

Management is the greatest cause of stress and time lost in this organisation. If Work cover premiums came out of regional budgets regional managers would make an effort to reduce work cover claims. The costs are not worn by them so it is not there problem. I had a conversation with a manager who said they were afraid two of their members were about to go off on stress. I asked if they could be on modified duties to prevent this. Reply was no that would affect my service delivery. I said you won't have service delivery when they go off sick. Opinion was do nothing to prevent it let them break.

Work safe should a lot time to meet with HSRs without management allowing concerns to be worked through and then meet with management to work through problems. WorkSafe need to highlight stress to management as a safety concern, at present stress has not managed to be accepted by the work culture.

Works age come out to every site at least once a month

You need thee presence on job sights not just show up after an incident or accident

How would you rate your experience of WorkSafe's Advisory Line and why?

1

2 years no result

As above

As answered in previous questions work safe provided no help & were abrupt, rude, uncaring & unconcerned about my concerns. I was using one of their own publications as a guide & still was ignored

As I explained earlier

because it is too hard to get through and then you just keep getting transferred and then have to wait until someone gets back to you

Called about safety on a site that really bad and to sit on the second level balcony watching work safe guy come in (known to the site foreman) take cash and leave

Cos they don't help you

Could not help me... many delays in getting back to me
Hopeless if you get through

I felt like I had more knowledge than the advisor. Advisors are reluctant to refer the matters to the inspectorate unless you insist they do and ask for a reference number.

I reported concerns about it being too cold in the workplace and the person on the phone said there’s no legal requirements around cold so there’s nothing WorkSafe can do to and an inspector won’t come out if the only issue is it’s too cold

I witness guys doing unsafe work I mean bad I rang them told them there is a possibility of someone getting hurt or worse they said take it to sight safety a WorkSafe rep showed a couple of days later never even raised an eye at the construction project

If we are calling WorkSafe, most likely it’s because there’s been an incident, accident or death. We want immediate action, not to be stuck on the phone talking to an operator.

In my experience, if you express concerns that you will receive retribution for making a complaint you will be consoled and told that should not happen however no record of the reported apprehension is made or acted on. There seems to be an acceptance that it is normal to fear making a complaint without seeing that fear as a complaint itself.

It seemed more like a counselling service.

Lack of knowledge of the construction industry.

little or no understanding of issues within the industry and does not allow quick response

No feedback or follow up action was taken when incident was reported. felt like I waisted my time

No follow up and they did not really care

No follow up

no response

Not interested

Poor response time

Provided me with uncertain & unclear answer that was hard to interpret in terms of the law.

Rang them on a construction site where the was danger to the public, no appearance by WorkSafe

Takes too long and not experienced enough for our industry

the person I spoke too did not seem interested

the person I spoke too seemed uninterested

They did not turn up

They never responded to an issue I had on a job.

They sounded disinterested

They were rude and at the end of the day by the time they did something my boss at the time covered his tracks

To difficult and not interested in issues

to get an inspector to see firsthand unsafe work practices

told them about a workplace and no one visited

Under the code of practice and notifiable incident , 5 days later a visit

Unhelpful and arrogant

very generic advice, not case specific

Way to slow and got no answer

What is given to you as advice is contradicted by the Inspector. IE: Inspector says who gave you that info?

Advice can often be inconsistent

Advice given differs greatly when seeking help regarding PINs, legislation etc. From that of the inspectors.

Advice not consistent with inspectors. Sometimes they have been unaware of WorkSafe documentation.
Advise is good but no end solution

Because

Because a lot of the advisory line people, have very little experience in the construction industry, so it seems difficult for them to understand your safety concerns.

Because you guys did nothing about, until the union rocked up and did something. (ARREOs)

bullying
Can't get answers on phone
Can't remember was a long time ago
Couldn't give my name so they wouldn't come and investigate
did not follow through
Didn't get the information I required
Didn't seem too interested in my call.
Different answers, it's a grey area comment.
Failure to act on reported incidents.
had a problem when not a rep
Having to explain in detail of a breach.
I found the person I spoke to lacked empathy & she was not understanding my position and new role in the workplace as HSR.

If you’re not a HSR they don’t act
In my experience they are more concerned about protecting the employer. I believe they are a toothless tiger.

No feedback

No good
No sound advice of how to actually act on the problem where a new ohs officer employees hired 3 weeks after that conversation was able to give sound advice resulting in positive solution (used to be a WorkSafe inspector)

Not clear guidance, always sent to speak to Union
not efficient enough
Not very informative
Nothing resolved

Once more lacking of understanding of the practical implementation of the OHS Act. Information is very generic and resulted in PINS being cancelled

Operator did not follow proper work safe protocols in following my complaint.

Rarely occur

sent the information at the wrong address

Slow response

The advisory line say one thing and when the inspectors came out the say something different

the information was only general, to the point where our employer would not accept what we were saying

The people I needed to talk to were never available.

The person I spoke to at the time wasn’t trained enough so the answer I received was clear as mud

They do not think you have a problem.

They just seemed not really interested got more information on the website

They want me to tell them who I work for. I explained the issue and where the job was!!! That is not good enough for them. As if I am going to lose another job because of WorkSafe.

They wouldn't respond to a possible incident because I was a HSR.

To complex, I just want to explain myself to an inspector

Too slow

TYPICAL GOUVERNMENT
useless information given to me
Wankers

Some of the operators are experienced and knowledgeable but I have encountered some who are not

Advisor knew nothing about construction issues
Because it was in the middle of the night the inspector seemed to downgrade/disregard the issue at hand.
because they couldn’t answer my questions
can be good, other times will not give answers
Cause the question wasn’t answered accordingly
I believe HSR’s and WorkSafe should be on the same page as we all want everyone to go home safe at the end of the day!
I didn’t feel like I’d been heard
I feel they don’t always understand
I found the advisory ok
I haven’t had either a bad or good experience
I wasn’t a HSR at the time so the help I could be given was limited
In my experience the advisory line provided the wrong information which led to a PIN being cancelled.
It should be a hotline between union organisers, we’re there for the same issue, for worker’s safety.
It’s just the basics
Knew more than the bloke on the phone
my appeal has just been ignored
no direct outcomes, no record of previous conversations
No follow up. Difficult to learn what action WorkSafe took as a result of the call
Normally you have to ring elsewhere for further information.
Not sure
Only had a few questions about legality and they were answered
Phoned twice and received conflicting information.
Potential risk to site
Process takes too long
Sometimes they turn up, sometimes they don’t
test
There seems to be a lack of expertise in their response and I was pushed to various departments before someone could answer my query.
They called back with advice that a rep will be out soon which was good in fact they were quite good it was the handling of the incident that disappointed me
They tried at least to help.
They want to know your name, which is insecure and open to abuse.
to confirm whether an incident was notifiable
Varys due to operator.
Was never told the outcome - I was ringing about major issues at the school around staff wellbeing and safety
Well the inspector came out.
How else do you get them to come out?
When dealing with issues dealing with Worker’s Compensation, WorkSafe need to tell you the process as to what to do rather than step in to help
When they heard Woolworths they're more hesitant with their advice

<table>
<thead>
<tr>
<th>Advice was very helpful in finding the relevant section of the act</th>
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<tbody>
<tr>
<td>Again our user management holds all the leads</td>
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<tr>
<td>Answered my questions</td>
</tr>
<tr>
<td>Friendly and helpful staff, supportive</td>
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</table>

Generally WorkSafe are trying to help. They get as frustrated as I do when they are being given the run around. Got the advice I needed.

Hard to find answer sometimes

Helped provide the information I required

I was informed of the best avenue to take regarding a problem.

If I ever call up for information they can generally tell me or where I can find it.

Long waiting period but all my questions at the time were answered well.

Professional, and clear timeline for an inspector to turn up

Quick to response

Received precise information

Record of call

Reported an unsafe situation and was advised an inspector would follow up

The advice I got was very useful in assisting me to progress appropriately toward resolution for staff in an unsafe working environment

The power to act, on the question asked, was to no help to me in the answer given, at the time.

There was an outcome

They arrived pretty quickly to the site.

They were more helpful than the inspectors who attended the worksite.

They were very quick to refer our concerns to inspectorate

Very knowledgeable assistance generally

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<tr>
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<tr>
<td>Answered my question completely</td>
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<tr>
<td>Answered my questions and helped me quite a lot</td>
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</table>

Clear instructions on what I was able to do at work without my permit

Could not get pin notices at my work site so I printed one from web and issued it. Went on holiday called into work and saw that what I pinned was working asked management why they didn’t call me or WorkSafe, they said they lost the pin notice so I rang WorkSafe and got 100 pin notices posted to me

Employee I dealt with was very helpful and knowledgeable

great help

Help received

I find you came explain your concerns a lot better and have received a unbiased view of my concerns sometimes not what I wanted to hear, which I wouldn’t get if I used the work safe site.

I was very thorough before I spoke to WorkSafe

Query about OH&S issue

Shop stewards are useless

Straight to point helped me with my issues

They listened and actioned what I told them.
To find out quickly the rules on working near a live edge with a scissor lift