



Time to deliver the highest OHS standards

Having a voice is having an impact

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Qantas and Chromium VI

- Philip Johnson contracted lung cancer 2 years ago
- Worked at Qantas 1971-91 mostly in sheet metal
- He was a fitness fanatic and was a non-smoker.
- His work at Qantas involved using air powered grinders on metal surfaces painted with primers and sealants containing hexavalent chromium (a class 1 carcinogen)
- He took Qantas to NSW Dust Diseases Tribunal seeking compensation
- Last year, Qantas agreed an out of court settlement around \$1 million.
- By settling out of court Qantas avoided a legal precedent and liability.
- It was however the first time in Australia, an employee has been compensated for cancer alleged to have been caused by inhaling chromates.
- Qantas didn't add confidentiality clause to the agreement.

Qantas and Chromium VI

The AMWU in 2007 undertook a campaign with Qantas that eventually has led to Qantas :

- identifying 83 compounds they use that contain chromium VI
- doing re-risk assessments in areas products used
- Accepting an independent hygienist to peer review in-house hygienists
- Reviewing medical surveillance
- Improved extraction and equipment in some areas

AMWU still campaigning for:

1/ Employee exposure register

2/ Substitution to other paints and sealants non-chromium VI based

3/ Exposure letters to employees on exposure and at end of employment

Some lessons for us from this campaign:

1/ Regulations and enforcement on occupational health hazards and exposures at work need to be stronger

2/ Awareness, promotion and prosecutions on these hazards and exposures at work needs to be a key focus of regulators

3/ Philip Johnston was the first ever in Australia to get compensation for exposure to this carcinogen - its complicated proving cancer and other health conditions links to workplaces - when poor surveillance, inadequate exposure data and info not collected by occupation. He probably only got compensation because he was a non-smoker, a fitness fanatic and was in a state that had a Dust Diseases Tribunal.
- we only could use the information from the case because Qantas forget to put in a confidentiality clause

4/ Qantas still refusing to establish an exposure register for workers exposed or potentially exposed as they say they are complying with record keeping requirements of the regulations and can provide the info to individuals should they need it in the future!!

5/ Substitutes do exist in some cases but hard to get them taken up i.e. need compulsion on employers stronger than Hierarchy of controls

Occupational Health and Safety fatalities in Australia

- 250 fatalities in 2005 reported at work
- up to 8,000 per year work related deaths when occupational health included
- Most of these from Work-related cancer (ASCC estimate 5,000)

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You don't hear a lot about workplace cancer

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Estimates of Work-related cancer

- 1.5 million Australians exposed to carcinogens at work
- 1 in 8 cancers for men due to workplace exposures

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Why don't we hear more about work cancer or health compared to safety?

- 1/ Because industries creating cancer risks keep quiet and profit from the substances responsible
- 2/ Cancer is portrayed as an individual tragedy because of personal choices like smoking and poor diet
- 3/ Because exposure today causes cancer 2 decades later
- 4/ It's hidden - Australian cancer registries don't collect information by occupation
- 5/ Cancer is a relatively modern killer – eg 100,000 synthetic chemicals/substances introduced to workplaces in last 100 years

6/ Occupational health not picked up in claims data as not compensated in most cases

7/ Politicisation of ASCC under Howard

- loss of independence
- reduction in its function
- not supporting unions and industry to participate fully
- cutting of budgets

8/ Constant primary focus of regulators on reducing costs for employers not reducing workers suffering

9/ Pressure on workers not to complain

Occupational Health – What's needed

1/ Recognition and promotion of the issues by regulators as a priority - more consistent regulatory approach to health hazards. Current laws not enforced, prooted or prosecuted

2/ Model law that is written to enable regulators and unions to take both preventative action before workplace exposure occurs as well as prosecuting breaches

3/ Proper funding for the new Safe Work Australia

4/ More effective regulation e.g. All Class 1 and 2A Carcinogens included in regulations, company annual reporting to SWA of exposures, health surveillance, exposure information to workers automatically, toxic use reduction

5/ Greater focus on enforcement and prosecution of health breaches

6/ Just compensation through better recognition of workplace linkage to health issues, exposure data provided, occupational information collected at diagnosis etc

7/ Elimination of exposures at workplaces to known carcinogenic substances e.g. Toxic Use Reduction legislation, sun-setting carcinogenic substances from use

8/ Support to research in emerging areas such as nanotechnology

9/ Union movement committed to act through 'Stop Work & Environmental Cancer Campaign' over next 3 years