



## Asbestos danger in home fire damage

As fires rage across eastern Australia, those whose homes have been damaged by fire also face the potential hazard of asbestos.

The Asbestos Diseases Foundation of Australia has warned many homes built before 1987 contain asbestos products, particularly in farm sheds and outbuildings.

ADFA president Barry Robson said heat from bushfires often shatters bonded asbestos products, allowing deadly fibres to mix with ash and other debris.

He advised those returning to fire-damaged properties to take precautions against possible asbestos exposure.



## Support for Workplace Health and Safety Reps

Health and Safety Representatives (HSRs) are an essential part of your workplace health and safety. HSRs are trained to assist in circumstances where health and safety may be compromised.

If your workplace doesn't have trained HSRs or has any workplace health and safety concerns, workers can receive advice through the HSR Support Service.

Contact Service Coordinator Damien McGarry on:

**(07) 3010 2555**

**[info@hsrsupport.org.au](mailto:info@hsrsupport.org.au)**

**[www.hsrsupport.org.au](http://www.hsrsupport.org.au)**

## Industrial manslaughter laws make court debut

The state's first industrial manslaughter case is now in the courts, vindicating the Queensland union movement's campaign to make negligent bosses accountable for unsafe workplaces.

The Work Health and Safety Prosecutor in late October commenced a prosecution against a Rocklea scrapyard for industrial manslaughter under the Work Health and Safety Act 2011.

Separate charges have also been made against the scrapyard's directors for engaging in reckless conduct that resulted in the death of a worker. Queensland was the first state in Australia to have industrial manslaughter laws, with similar legislation passing through the Victorian Parliament recently. The Australian Capital Territory also has similar laws.

The offence of industrial manslaughter was one of 58 recommendations in the Best Practice Review of Workplace Health and Safety Queensland, to which unions made numerous submissions.

The review followed two tragic workplace incidents at Eagle Farm Racecourse and Dreamworld that cost six people their lives.

The initial legislation did not cover the mining industry, but the State Government will now extend the industrial manslaughter laws to that sector.



Queensland Industrial Relations Minister Grace Grace said the Palaszczuk Government backed the tough new laws aimed at protecting Queensland workers.

"These laws are about saving lives and ensuring all Queenslanders return home to their loved ones after a day's work," she said.

"They are the first of their kind to be introduced by a state jurisdiction and leave negligent employers culpable in workplace deaths with nowhere to hide.

"Individuals guilty of industrial manslaughter will face up to 20 years imprisonment, with corporate offenders liable for fines of up to \$10 million."

Extending these laws to the resources sector comes after another death in the state last month – bringing the toll to seven fatalities in 18 months in the state's mines and quarries.

## Industry fatality statistics for year to date

**As at 5 December, there have been 152 Australian workers killed at work in 2019 - an increase of 41 since October.**

- » 54 in Transport, postal & warehousing
- » 31 in Agriculture, forestry & fishing
- » 24 in Construction
- » 9 in Mining
- » 7 in Public Administration & safety
- » 6 in Electricity, gas, water & waste

services

- » 6 in Manufacturing
- » 3 in Arts & recreation services
- » 6 in 'Other services'
- » 2 in Professional, scientific & technical services
- » 2 in Wholesale trade
- » 1 in Health care and social assistance
- » 1 in Admin & support services

Source: Safe Work Australia

# Heat stress impact hits anywhere, anytime

With above average temperatures forecast for the months ahead, Queensland workers should take extra care to protect against heat stress.

Heat stress is not just related to temperature. It is a combination of factors, including:

- » exposure to reflected heat from surroundings,
- » exposure to additional heat from machinery,
- » climatic conditions (low air movement, high humidity, high temperature),
- » exposure to direct sunlight, especially during the hottest part of the day,
- » inadequate cooling off, rest periods or insufficient water consumption, and

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with HSR Support Service  
Coordinator Damien McGarry

» inappropriate clothing. Heat is a hazard whether work is performed indoors or outdoors, and every person has a different threshold.

The employer must do everything that is reasonably practicable to eliminate the risks associated with working in heat. Control measures may include cancelling certain tasks, re-scheduling tasks to cooler parts of the day or waiting for hot conditions to pass. If the risk cannot be eliminated the employer must minimise it as much as reasonably practicable.



Employers should engage health and safety representatives to help identify hazards like heat stress.

The process should include a risk assessment to identify how severe the risk is and whether existing control measures are effective.

Remember the employer must (therefore it is a legal

requirement) consult the workers and their health and safety representatives when deciding how to manage the risks of working in heat.

Safework Australia has material on managing risks of working in heat - just google "[Workplace Health and Safety Queensland Heat stress Calculator](#)".

## Safety in Short

### Retailers urged to protect staff

The state government is urging retail sector employers to look after their workers during the busy Christmas period. It says that November and December are traditionally the peak months for the retail industry and its casual workforce grows substantially to meet the demands of shoppers. This includes large numbers of workers hired for temporary positions, whose inexperience can make them more vulnerable to health and safety hazards in the workplace.

### Deliveroo riders want HSRs

Deliveroo food delivery riders have sent the gig economy company letters demanding it complies with WHS obligations and tackle risks for riders, like collisions with cars, falls and heat stress, according to the Transport Workers Union. The TWU has asked Deliveroo to allow riders to set up workgroups and elect health and safety representatives, who will have the power to enforce safety obligations and direct workers to cease unsafe work under the WHS Act. This comes after deaths of at least four food delivery riders at work in Australia.

## Workgroup call is first step to safety

An area which seems to be misunderstood is the determination of health and safety workgroups.

Establishing the workgroups within the workplace is the first step to ensure all workers are correctly represented in workplace health and safety matters.

Matters to be considered include:

- » the number of workers,
- » the nature of the work,
- » the areas or places where each type of work is carried out,
- » the diversity of the workers,
- » the nature of the hazards at the workplace,

- » work patterns carried out, by example full time, part time, casual or short term,
- » the times at which work is carried out i.e. shift work.

The objective of workgroups is to ensure all workers are grouped in a way that:

- (a) most effectively and conveniently enables the interests of the workers, in relation to work health and safety to be represented, and
- (b) Has regard to the need for a health and safety representative for the workgroup to be readily accessible to each worker in the workgroup.

If you believe your workgroup is not represented within the workplace, you may request to your employer to negotiate a variation of the existing agreement.

A worker may also request your representative for assistance in negotiations.

A worker (unless requested) cannot represent a workgroup if they do not do perform that specific role.

The HSR Support Service can also provide advice on the process.

**“Establishing the workgroups within the workplace is the first step to ensure all workers are correctly represented ...”**