

WHAT SHOULD THE OPTIMAL STRUCTURE AND CONTENT OF A MODEL OHS ACT BE?

SPECIFIC COMMENTS

Regulator Functions, Powers & Accountability:

My comments relate to the dot points in section 6.1, in particular, the last 4 points regarding the role of the OHS regulators with regard to education, public awareness, research and statistics.

Australia deserves a world-class OHS system to protect worker's health, and also to protect employers from later legal action. We can only have such a system if the regulators keep up to date with the latest international information on various new hazards, and on new ways of controlling known hazards. It is important that the regulator is able to:

- undertake research (literature reviews, as well as in house and contract original research projects);
- evaluate the current state of OHS in Australia (including current statistics on disease, injury and prevalence of exposures); and
- disseminate new information to workers, employers, and the general public.

In order to do this, a dedicated research team with high level expertise is required, and an adequate budget must be allocated. Research and evaluation must be prioritized and be integrated within the regulation and compliance system. Currently, while the ASCC do some of these roles, their budget is extremely limited and their expertise is nowhere near the levels that are needed. The loss of expertise and funding in this area over the past decade has translated to a diminution of the entire occupational health research discipline in Australia. We have specific issues with regards to worker health in Australia (e.g. sun exposure and the mining industry) and cannot just assume that European data apply to us.

Scope, Application & Definitions:

I would also recommend the committee investigate The Toxics Use Reduction Act (TURA) in Massachusetts. TURA is a state law established in 1989 to promote safer and cleaner production that enhances the economic viability of Massachusetts firms. It has been an amazing success story – decreasing the amount of toxic substances used and released into the environment, and saving money for companies.

More information can be found at: http://www.turi.org/home/hot_topics/ma_tura_program
