

# The proposed national OHS laws will restrain OHS Reps and endanger Victorian workers

	Currently in Victoria	Proposed national law
<b>Training rights</b>	OHS Reps attend a 5-day course of choice, 1-day refresher, and any other course (such as the VTHC Annual OHS Reps Conference) approved by WorkSafe. Your employer must release you, pay costs and you must give 14 days' notice.	The proposed law will reduce your right to choose, only pay 'reasonable' expenses, and reduce the amount of training. Bosses will decide how and when training will happen. There would be no future right to attend the Annual VTHC OHS Reps conference.
<b>Issuing PINs and directing a cease-work</b>	OHS Reps can exercise all powers immediately upon election, including issuing a PIN and directing that work cease.	The proposed law will stop you from doing either of these until after you have been trained.
<b>Seeking assistance</b>	OHS Reps have the right to seek the assistance of <i>any</i> person, whenever necessary. Your employer must allow this – unless they can show a magistrate that a person doesn't have sufficient knowledge	The proposed law would allow OHS Reps to <i>request</i> assistance – but an employer could <i>refuse</i> to allow assistance!
<b>Disqualifying an OHS Rep</b>	An OHS Rep can only be removed by a majority of workers, after at least one year in office, or if an employer applies to the Magistrates Court to disqualify an OHS Rep for intending to cause harm. Workers decide who represents them.	The proposed law greatly broadens the range of persons who can apply for the disqualification of an OHS Rep, to any person <i>adversely affected</i> , – or by the regulator (WorkSafe).
<b>Health</b>	The <i>Occupational Health and Safety Act</i> covers both <i>safety and health</i> in the work <i>environment</i> .	The proposed law doesn't even include 'health' in its title, doesn't require that a healthy <i>environment</i> be provided by your employer, and doesn't require that health records be kept. This is bad news for the health of workers who are exposed to harmful substances in their workplace or to psycho-social hazards, such as bullying, that cause stress.

# OHS National Model Laws NOT GOOD ENOUGH!

The Victorian State Government, other States and Canberra have released a draft model Safety Act. The draft *Safe Work Act* is open for public comment until Monday 9 November. A model law for all governments to adopt will be announced in mid-December 2009.

Under the proposed *Safe Work Act*, Victorian workers and OHS Reps stand to lose hardwon rights and protections.

## OHS REPS LUNCHTIME RALLY

1:00pm Wednesday 28 October

Outside the Annual VTHC OHS Reps Conference,  
adjacent to Dukes Dock, Southbank

Melways Ref: 2EK9



# DON'T RISK IT