

**EDUCATION AND HEALTH  
STANDING COMMITTEE**

**INQUIRY INTO MENTAL HEALTH IMPACTS OF  
FIFO WORK ARRANGEMENTS**

**TRANSCRIPT OF EVIDENCE  
TAKEN AT PERTH  
MONDAY, 16 MARCH 2015**

**SESSION ONE**

**Members**

**Dr G.G. Jacobs (Chair)**  
**Ms R. Saffioti (Deputy Chair)**  
**Mr R.F. Johnson**  
**Ms J.M. Freeman**  
**Mr M.J. Cowper**

---

**Hearing commenced at 11.31 am****Mr OWEN WHITTLE****Assistant Secretary, UnionsWA, examined:****Dr TIM DYMOND****Research Officer, UnionsWA, examined:**

**The CHAIR:** On behalf of the Education and Health Standing Committee, I would like to thank you for your appearance before us today. The purpose of this hearing is to assist the committee with its enquiry into the mental health impacts of fly in, fly out work arrangements. I am Graham Jacobs; on my left is Murray Cowper; on his left, Rob Johnson; and on his left, Janine Freeman —

**Ms J.M. FREEMAN:** On the far left.

**Mr R.F. JOHNSON:** Always.

**The CHAIR:** Rita Saffioti is an apology today. This hearing is a formal proceeding of Parliament and therefore commands the same respect given to the proceedings of the house itself. Even though the committee is not asking witnesses to provide evidence on oath or affirmation it is important that you understand that any deliberate misleading of the committee may be regarded as a contempt of Parliament. This is a public hearing, and on my right is the executive staff of the committee and Hansard to record the proceedings. If you refer to any documents during your evidence, it would assist Hansard if you could provide the full title for the record. If you would like to give evidence in closed session, please advise me.

Before we proceed, I will just ask you a few standard questions: have you completed the “Details of Witness” form?

**The Witnesses:** Yes.

**The CHAIR:** Do you understand the notice at the bottom of the form about giving evidence to us?

**The Witnesses:** Yes.

**The CHAIR:** Did you receive and read the information for witnesses briefing sheet provided with the “Details of Witness” form today?

**The Witnesses:** Yes.

**The CHAIR:** Do you have any questions for us before we start?

**The Witnesses:** No.

**The CHAIR:** Thank you, very much. Maybe I could kick off by asking you what you see as the most important primary challenges for mental health that workers face while doing FIFO.

**Mr Whittle:** I would largely say that it is isolation, fatigue and long rosters. I think they are the main three key issues we find amongst our affiliated unions and their membership. It is a very unique kind of work. It is a kind of work that we do not know a lot about and it imposes a whole range of, I suppose, hot button occupational health and safety issues and threats to those workers’ health. In particular, the isolation would cover communication issues—something that we are seeing in a lot of sites, in particular through the goldfields and the south west. A lot of production sites have quite significant communications issues. Rosters, particularly in the construction industry, are a large problem. The four and one rosters pose a greater health threat than the two-and-one rosters.

**The CHAIR:** Can you give us your idea of the most reasonable roster ratio for the benefit of workers and industry? We talked about compression creep; can you explain compression creep to us?

**Mr Whittle:** Yes, absolutely. I think the best rosters I suppose would come down to circumstance. Offshore, for example, we see a lot of even time rosters, be it one and one or two and two. That works quite well for both industry and workers, especially given the high intensity work that workers perform. It really stops the fatigue issues creeping in there. In terms of mine production, where the hours are a bit less than what you would find on an isolated rig or vessel, we find that two and one or a bit less than two and one depending on the site and isolation does work reasonably well.

**The CHAIR:** How are these decided upon? Is there any science behind any of this? How does one settle on a roster? A lot of the mining industry tells us that it is all about choice and whatever, but we are trying to ascertain what the most reasonable roster is for emotional health and wellbeing in work that is quite stressful in itself. Can you direct us to any work that has been done to try to ascertain what the most reasonable roster is for emotional health and wellbeing?

**Mr Whittle:** I would love to be able to direct you to that research, but unfortunately it does not exist. In our submission we touched on the commonwealth government House of Representatives' report "Cancer of the bush or salvation for our cities?" which talks about commissioning research. I would have thought that would have contained some real in-depth research and information about what rosters are best and health effects of them. We have seen some minor bits of work carried out piecemeal by different organisations, some by industry and some by mental health organisations, but that has not examined the whole range of issues already being an umbrella report that has examined all of the fact and all industries. We have seen a small amount of work done in the production industry that mostly uses two and one rosters. I have not seen any information that has come out of the construction industry that uses four and one rosters.

**The CHAIR:** Did you explain compression creep to me?

**Mr Whittle:** No; I can go into that. Largely compression creep is when we find the amount of time between rosters is encroached upon by travel. That is not a very significant issue for people living in metropolitan Perth, but we find it is a very significant issue for people who are commuting to, say, Bunbury, Collie, Albany and regional centres in the eastern states as well. There are examples of workers in Gladstone or Newcastle who fly in, fly out for work in Perth. You will largely find that their six or seven days off is condensed to maybe four or five with the travel included. You can only imagine how wrecked they would be emotionally and physically once they return home to the eastern seaboard or Bunbury or Collie or other regional centres. You can really imagine that in terms of quality time with family or time with friends that it could end up being really only two days.

**Mr R.F. JOHNSON:** My question is a very, very simple one. Can you tell me the six most important things that need to happen in FIFO industries to reduce the risk of not just your workers but all workers involved either suffering severe mental health problems or considering suicide? What are the six most important things that need to happen?

**Mr Whittle:** Okay.

**Mr R.F. JOHNSON:** I thought it was easy.

**Ms J.M. FREEMAN:** Not five; not four.

**Mr R.F. JOHNSON:** I want half a dozen.

**Mr Whittle:** That is a good question. I suppose just running through them I would say research; we need quite significant research into the health effects. We also need some more examination of rosters. I think we need an examination of the health and safety laws, really looking at the different

---

layers of health and safety regulators covering one site; I think you can have upwards of four or five when you take into account the federal government health and safety regulators as well. I would say the kinds of services that are provided onsite. Noting some of the discussion paper, there was a lot of discussion around, I am not sure the words that were used, but maybe a mosaic of services that is needed, and I would say that that is absolutely right. Where am I, four or five?

**The CHAIR:** You are at about four, I think.

**Ms J.M. FREEMAN:** Interrupt, Tim; you can add.

**Dr Dymond:** I think one of the things that I wrote in our response to the discussion paper was basically the way the current regulator works. At the moment, we have the Department of Mines and Petroleum acting as the OSHC regulator in this regard, and as outlined in our submission we have some strong criticisms of the way that is doing it. It is essentially reactive and it does not have a specialist sort of function for that and it is simply not up to the job.

**Mr R.F. JOHNSON:** But that is not putting forward a positive response; what needs to happen?

**Dr Dymond:** Our positive response would be that you need to fully fund WorkSafe as a proactive regulator on these issues.

**Ms J.M. FREEMAN:** But WorkSafe is in the mining industry currently—I suppose, from the perspective of UnionsWA, mines and safety covers the mining and WorkSafe says that it covers accommodation, but mostly just the workers' accommodation—there is a real question about who covers the mining workers. What regulatory changes, if UnionsWA could see them implemented, would you see implemented in terms of assisting and ensuring people's health and wellbeing and mitigating the risks of suicide are taken into account? What sort of regulatory things would you see happening?

**Mr Whittle:** I think, firstly, we could add a few more regulators to that list. You could add WorkSafe when dealing with construction sites. You could add NOPSEMA when you are dealing with offshore sites. Comcare is more and more regulating elements of these sites, especially now that there are proposals to expand Comcare. You are going to see a lot more state employers move into it and their presence on FIFO sites will greatly expand. I say what is needed is more specialist skills in these departments. I would say that mental health has not really been looked at as an occupational health and safety issue; it has been a third limb to safety rather than a centre to safety. You will find that a lot of these regulators do not have a lot of expertise internally to deal with mental health issues that arise onsite. Your frontline inspectors in each of these regulators definitely do not have that expertise. My knowledge is that they do some crisis training around dealing with people who are immediately at risk of self-harm or suicide, however they do not have any inspectors who are dedicated to mental health, or psychologists or anyone with that set of skills. I would also add that what is needed is a close look at the codes of practice and regulations that each of these regulators are operating under or, I suppose, advising business and workers with. For example, WorkSafe WA has a very good working hours code of practice, which is great and it does go into a bit of detail about roster length and how many hours in a three-month period a worker can work before they are fatigued; however, it does not touch on the whole range of other issues that would be associated with that kind of work, such as communications or isolation or bullying, which is pretty rife on a lot of these sites as well.

**Mr M.J. COWPER:** Gentlemen, I would really like to touch upon, if you like, the history to where we are at this particular point, inasmuch as FIFO was once upon a time about 30 per cent of the workforce and I think it is up around about 70 per cent now. Obviously, it is creeping into production more and more, as opposed to construction. Where does the union sit in respect to this phenomenon and where the trajectory will be in the future? Obviously, it is cheaper for mining companies to have people fly in, fly out, but it would not have occurred unless it was agreeable to the workers. As this is evolving, we are discovering that this in itself has some inherent issues that

need to be addressed. I am just cautious that we are going to start putting in place all these various regulatory things that you just mentioned, but at the end of the day we have to have I suppose a broader look at it, and whether it is a healthy option. I would like the union's perspective in respect to that.

[11.45 am]

**Mr Whittle:** It is a difficult issue and we have seen it grow massively in the last 10 years in particular. We are finding that many of our members are working on production sites that used to be town based. Newman comes to mind for me, where the town-based workers find themselves more and more pressured to conform to the rosters that are basically for FIFO workers. I would say that we do support FIFO work, but we recognise its impacts on regional centres, in particular ones like Newman. There does need to be a close examination of the health effects of it, but we are not mental health experts and we are not health experts, so it is hard for us to make a judgement on the impacts of that on workers.

**Mr M.J. COWPER:** Do you have any background in relation to churn, in relation to people who may come into it? They obviously see the attraction of big incomes and they say, "We are going to work in the north", and they find themselves in a camp 300 kilometres east of Newman in 45 degree heat. Have you got any idea as to what sort of churn we have got in that area?

**Mr Whittle:** Just from personal experience, having worked in unions that have represented FIFO workers, you see a very large amount of churn in the first three to six months of people working on those projects, in particular in the more remote production sites where facilities are far worse than what you might find at more recent mines or construction facilities. People turn up and find themselves in a donga with mould in the air-conditioning and no communication beyond a mobile telephone, and they very quickly leave and fall out of the industry. I think more recently there has been a bit of a phenomenon with increasing unemployment in the more traditional manufacturing heartlands of Perth, in particular the southern suburbs, and we are seeing people by economic circumstances being forced to stay in this kind of work. More recently people are just not seeing opportunities back at home and really need to stay in that employment to maintain mortgages, their own families and the like.

**Mr M.J. COWPER:** Is there any sort of advice provided by the unions in and around the managing of their finances. I mean, obviously the attraction is big incomes—you get used to a big income, the churn occurs and they find themselves in financial bother following on to relationship problems and the like. I am wondering whether there is any work being done by the unions in that area.

**Mr Whittle:** There is. Some of our individual affiliates have picked up services that allow members to seek that advice. From memory, I know the CFMEU were assisting members in that regard and the AMWU have set up an EAP service, but in recent discussions with them, for their members they have come to realise that they need to go further than that. With the downturn in the construction industry the issues you have mentioned become more prominent. Unions are now moving in that direction, but in an area of, I suppose, limited resources. There is only so much of those sorts of services unions can offer.

**Mr M.J. COWPER:** You mentioned before the Newman situation. Have you done any work on the back end, because it is a double-edged sword with not only workers leaving, for instance Perth or the south west; there is also this vacancy that occurs in communities in the south west—involvement in kids sport and those sorts of things. Have you done any work in and around that area of the unions?

**Mr Whittle:** I would not say we have done any structured work around it, but certainly it is something I have heard raised by union delegates. In Collie and Bunbury in particular I have heard those complaints where I suppose declining economic opportunities in some of those areas have led workers to work fly in, fly out in the north west or the Pilbara, which has led to those problems back

at home. I have heard about some Collie workers in particular worried about their future in the local Collie mines seeking opportunities elsewhere and that has also created some of those problems.

**Ms J.M. FREEMAN:** Just on that question, both Brendon Grylls, and recently Hon Dave Grills in the upper house—actually on 23 October 2014—put in a motion that says —

That this house supports the adoption of a state transient worker accommodation policy to enable the transformation of regional communities into thriving and sustainable population centres.

It is a bit like what Murray Cowper was talking about. From the perspective of UnionsWA your position has been to support FIFO workers—it is not to get into that argument over FIFO versus residential. What is the position there?

**Mr Whittle:** I think we recognise that FIFO practices are probably here to stay; they are not going to disappear. I think we have said in public comments that when there is an opportunity to employ local workers who are embedded in the community, that should be a priority for those contractors; however, we recognise that FIFO practices are not going to disappear. We do not support 100 per cent FIFO sites where they exist, however, recognising that —

**Ms J.M. FREEMAN:** Do they exist?

**Mr Whittle:** Some of our affiliates might claim that some of the practices adopted by some of the town-based mining companies are trying to structure and move rosters to the point where it is more beneficial to be a FIFO worker flying in and flying out of that town than it is to live in the town and work there. That is probably more of a long-term thing, but it is something we are quite worried about. There are 100 per cent FIFO worksites and they are mostly in places where there are not towns to draw workers from.

**Mr R.F. JOHNSON:** Or offshore.

**Mr Whittle:** Or offshore—Barrow Island for example and the like.

**Mr M.J. COWPER:** Traditionally, FIFO was for construction now it is getting into production and I think that is the difference right there. One could argue that FIFO is not sustainable in the long term and others can say that a more suitable situation would be permanent residency. Any comment about that?

**Mr Whittle:** Where I have dealt with members in those towns, long-term residents want to stay and work in the town in which they live, and we would actually support that.

**Dr Dymond:** Turning the question around a bit, we would ask what we mean by “sustainable” in the sense that from the company’s point of view a FIFO workforce might well be sustainable simply because they can churn through a certain number over the course of a few years relatively quickly. If any particular cohort of FIFO workers is beginning to get run down and has the difficulties we have identified, that is okay because they will be probably leaving industry in a few years and then you will get the next one, so to speak. Really, the sustainability from the company’s point of view seems to work pretty okay, but that goes to the point of: What is the purpose of resources boom? What is the purpose of a project? That is something that the people of Western Australia need to decide.

**Mr M.J. COWPER:** The project is one thing, but then you have a situation where companies like Ausdrill have a training camp up there at Muresk now where they take people who want to work in remote areas and put them in a simulated camp to get them, if you like, acclimatised to the conditions and the lifestyle. Obviously, they do that because it is costing them a lot of money in this churn. Are you aware of that situation where Ausdrill, in partnership with a bunch of other companies, are doing that?

**Mr Whittle:** I actually was not aware of that.

---

**The CHAIR:** Janine and I visited the Onslow Wheatstone scenario. What was the union's view about the mining company putting their accommodation facility on site rather than in Onslow? What did you have to say about that? What input did you have in any of that decision? We would really appreciate your view on that situation.

**Mr Whittle:** At the time that happened, I was employed by the Australian Manufacturing Workers' Union, I suppose one of the key unions involved in FIFO work. We were not consulted about that. We made some media comment at the time on wanting workers to have access to the town for recreation when they have their off days, rather than being stuck in the camp. We thought that was very important, not only for the workers being able to escape the camp to undertake recreational activities, whatever that may be, but also to inject life and some more economy into the town—being involved, spending money and the like. We would have preferred the option of the workers being housed in town or close to the town rather than Wheatstone pulling it all back in and wanting more of an outpost.

**Mr R.F. JOHNSON:** Your submission mentions workers' fears that fitness-for-work assessments will be used to remove them from site if it is disclosed they have a mental health issue and they will probably be given a window seat. Are you aware of any circumstances when this has actually occurred, and is this fear well founded?

**Mr Whittle:** I would say absolutely the fear is well founded.

**Mr R.F. JOHNSON:** Can you give instances? Are you aware of instances where that has actually happened?

**Mr Whittle:** Yes, and I think unions would have taken many of these cases up as potentially adverse action claims in the Fair Work Commission, so I might be able to fish through that and provides more information to the committee.

**Mr R.F. JOHNSON:** That would be very, very useful.

**Mr Whittle:** Certainly, speaking to workers they are very afraid of losing their employment in these camps. As I mentioned before, they are high-paying jobs and people want to work there, especially with declining opportunities in certain areas of Perth. We have certainly had anecdotal evidence of a lot of this.

**Mr R.F. JOHNSON:** We would like any evidence you can give us in relation to that. Obviously, it will be historical evidence when it has happened in the last few years.

**The CHAIR:** Tim, can I ask you about your view of the DMP's effectiveness as a regulator in relation to bullying, because this has been cited as a major concern? Some of it is anecdotal, but we would just like to get a bit more on the issues around bullying, the DMP's role in this, how effective it is and—we did touch on it before—how we are going to improve that, if you have little faith in the DMP's effectiveness.

**Dr Dymond:** Owen can probably talk about this in some detail as well. I would say just sitting back a bit more generally that one of the problems with the DMP as a regulator is that it is highly reactive to things. It does not really get involved unless it hears about something happening or someone making a complaint first. In that sense it has a general problem with occupational health and safety-type issues, but in particular it will have a problem with matters of bullying and harassment, because once again, even leaving aside the FIFO issue, bullying and harassment generally are subjects that our occupational health and safety system has a great deal of difficulty dealing with. It seems that a lot of regulators right across the board are simply not set up. There is a certain stigma, or at least there is certainly a sense in which it is not a "real issue". An organisation like the DMP, as we say, does not necessarily have a lot of those specialist skills on occupational health and safety anyway. Plus from our point of view it is very much under-resourced and primarily reactive. It is simply not going to do a very good job. That does not have to be a reflection on the people who

---

work for it; it is, if you like, a structural issue. It is simply not going to be able to deal with those sorts of issues.

**The CHAIR:** So, structurally, for workers at the workplace, can you just walk us through the process as you would see it ideally and show us where DMP are not involved or do not do enough or are not there in relation to bullying?

[12 noon]

**Mr Whittle:** I think as Tim said, it really relies on a complaint mechanism system, so if a worker has been bullied, they will complain to a supervisor or manager, and run through the internal company procedures. If they have had an issue with how that has been handled through the internal dispute resolution or the company's internal procedures dealing with bullying, they would have the option of taking it to DMP by a complaint mechanism. Then, they are needing to come out and, I suppose, name themselves to the regulator and when the regulator comes in to investigate it, they are then going to be named as the person who has made the complaint to the regulator, which is a very tricky position for a lot of workers, especially when they fear being victimised, because you can imagine what might happen to some workers who make that complaint to a regulator and what they are told when they have called the regulator by other people on site, especially if they are being bullied. Really where we are seeing a lack of intervention on behalf of safety regulators is on the more proactive stage, where they are coming in to have a look at the processes before they hear of a complaint of a problem, so you are not having inspectors coming in and saying, "Well, hey, let's look at how you handled your last three bullying complaints", and running through it. If that was the space the safety regulators were filling, you might see some contractors step up their game in terms of dealing with complaints.

**Ms J.M. FREEMAN:** For the purposes of the committee and for Hansard, can you juxtapose that with how they deal with other safety issues on site? So, you are looking at bullying as being a complaints mechanism, but other stuff on site, in terms of safety, like how people are dealing with explosives, or how people are dealing with outfalls or something like that, would that be the same process for those other health and safety issues?

**Mr Whittle:** Generally not, we are looking at working from heights or confined spaces, or other serious occupational health and safety issues. It would be a very careful risk analysis process; the process would differ slightly between sites. Before the job has even begun, before there are even workers on the site, normally there would be policies drawn up around it. Workers turn up and they will be assessing the risks, filling out a bit of paperwork around that, and then when there is an incident or near miss there would be a very thorough investigation looking at the causes, what could have been done better. I think what we find with bullying is that there is not that more comprehensive review after the fact, nor are there really procedures put in place very clearly before that has happened.

**Ms J.M. FREEMAN:** The thing about the mining industry or the petroleum industry is that it works on a safety case basis, the petroleum industry more so, and progressively there is this move towards a safety case-type management system for the mining industry. My understanding—you can tell me if I am wrong—is that the regulator comes in and has a look at the procedures to show that an incident would not happen. My question is: is that the same for the welfare of workers? Do they consider that as part of their safety case or part of their management of those sorts of things, particularly for prevention of people self-harming and suicide?

**Mr Whittle:** We have quite significant issues with how the safety case is prepared and used in the offshore industry, but that is not really dealing with these kinds of issues so I will not touch on that. But, no; I suppose we see a lack of recognition from some safety regulators and some inspectors that maybe bullying or mental health issues rarely fall into the traditional occupational health and safety range of issues. In terms of looking at it from that perspective, when they are reviewing policies or procedures, normally these issues are not taken into account through that.



**The CHAIR:** In this reporting process for bullying I can imagine that it would be very difficult for a worker to go to a supervisor on site. Is there any other reporting process that can be done other than the worker—I can imagine even if I thought that I was getting harassed, going up to the supervisor and saying, “You know, supervisor, you know, that guy A, he is bullying me” and they go, “C’mon mate, just suck it up, c’mon, it’s not a problem.”

**Mr R.F. JOHNSON:** Toughen up princess.

**The CHAIR:** Yeah, that toughen up princess stuff: “You’re out here; you’re a man, aren’t you? You’re working with all these other men, get on.” That is going to be flawed, is it not? We potentially have a large unreported, hidden cohort that because of that reporting process will never get up.

**Mr Whittle:** Yes, absolutely, especially in male-dominated workplaces you do see that kind of attitude come up quite a lot: “Just suck it up; just deal with it; you’re only here for a couple of weeks; you’ll be on a different shift next time; let it alone.” That certainly happens, but I will also note that a lot of the research done into bullying would say that managers and supervisors also conduct a very large percentage of the bullying as well, absolutely.

**The CHAIR:** He is not going to go and complain to the supervisor about bullying by the supervisor.

**Mr Whittle:** No, you are not, and quite often you are not going to go above the supervisor’s head to the next level because then that would lead to further victimisation, and quite often people in the more senior management or supervisory roles would not even want to know about it. There was some good change brought in when the federal government made the amendments to the Fair Work Act around bullying. Tim might be able to talk to that in a bit more detail, but it does provide another avenue for workers who can go to the Fair Work Commission to seek a remedy to bullying. We have not seen it used extensively yet, but that does provide an avenue outside of a contractor to seek remedy to it, but workers would also feel that again, you are putting your name forward, you are putting yourself on the line in order to make that complaint.

**Ms J.M. FREEMAN:** But you can only seek remedy if you can go back to work. You cannot seek remedy at Fair Work Australia if your relationship with your employer is no longer able to continue for bullying; that is my understanding.

**Dr Dymond:** That is my understanding of how it is supposed to work. I guess perhaps I should say that notwithstanding that we certainly support the principle of introducing a lot of those protections around bullying into the Fair Work Act, it is also the case, as Owen has said, that they have not been used a great deal. Part of that I would submit, although I should qualify that with of course that research is still going on, is that there are some quite substantial exemptions under that, particularly the notion of the “reasonable management action” or “reasonable management decision”. That does tend to introduce what we think is a bit of a “get out clause” and a substantial amount of wiggle room. A FIFO-type workplace, precisely because of the environment that it is in, actually can mean that “reasonable management action” covers a great deal of things, and it is very hard to demonstrate otherwise. That, I think, goes to perhaps some general points that could be made about organisations in which bullying takes place, or if bullying is likely to take place.

Once again I am stepping back slightly from the FIFO workplace here and just making a general point that in all the research we do about where organisations and workplaces in which bullying and harassment takes place, the common denominator is organisations under pressure—organisations under pressure because of budgets, organisations under pressure because of policies being handed down from the top, and in a situation in the resources industry, organisations, companies and contractors under pressure, and part of that pressure will manifest itself in some of the stuff we discussed earlier. The compression creep around rosters, the ever-reducing amount of personal time as rosters become longer—a lot of those points as well about the lack of opportunity, time and

---

resources into people being able to talk to other people, such as talking to your colleagues. I think in the AMWU's written submission to this inquiry they made the point about the sort of lack of confidence and the caution that people felt about being able to raise mental health concerns with their colleagues. There is also that point as well about the lack of connectivity with friends and family back home—that lack of avenue to actually raise and talk about these things and seek alternative advice.

**Mr M.J. COWPER:** I am just interested in the roles and responsibilities of the union, or what role they play when you have a report of someone who has attempted self-harm or indeed are successful in their attempts. I just want to know how you get your information, how you process that, and how you respond to such matters?

**Mr Whittle:** Largely the information will come from other members on site. Very rarely do we receive any kind of a formal notification, although, from time to time we have; it depends on the contractor and the company.

**Mr M.J. COWPER:** What if it is not on the site?

**Mr Whittle:** Normally it then comes from the co-workers as well. They would hear through the grapevine or from the family directly if they are close to them that that has happened. Occasionally, we would hear from the family who is calling up to say, "Look, this has happened, can you suspend dues" or the like.

**Ms J.M. FREEMAN:** Suspension of dues is a pretty horrible reason to get a call, is it not?

**Mr Whittle:** It is. There is no kind of formal notification. So really first you have to check, make sure that in fact that is what has happened. You want to be quite careful in that kind of situation to not go off without having the story right.

**Mr M.J. COWPER:** How would you check? Do you check with the police, or do you check with the company? How do you confirm?

**Mr Whittle:** We try to check with the company first, although quite often that is unsuccessful. Depending on the contractor and company—certainly it is not the case with all of them—the relationship with the unions can be quite combative, even in this kind of circumstance. So, we check with the company, maybe check with the police, which is normally a bit easier in a regional centre where union organisers have a more direct relationship with other people in the community. We check with the family, potentially, although that is also a hard issue. Once we have done that checking, we then advise our other members on site, and have discussions with other members on site about what is happening, what has happened, is there a reason this happened, are there problems on site, is there bullying, are there other issues. Quite often while they are doing that one of the unions will do a whip around the site and collect money from the members for the benefit of the family as well.

**Mr M.J. COWPER:** Is there someone within the organisation who is tasked that situation, I mean —

**Ms J.M. FREEMAN:** I think the question he wants to ask is: do you have any responsibility to your members for their personnel health, but you do not?

**Mr M.J. COWPER:** No, no that is not what I am saying at all.

**Ms J.M. FREEMAN:** Okay.

**Mr M.J. COWPER:** What I am saying is do you have anyone within your organisation who deals with the expertise of training to deal with these situations, or is it just whoever happens to be in the office? Or do you have someone on call who might be able to come in and fill that spot?

**Mr Whittle:** Many unions provide training to their organisers in terms of dealing with these delicate situations, and more and more they are providing training around responding to attempts or

---

successful self-harm. Quite often that training is delivered to those union organisers in the way that then they have prepared to then on-deliver some coping mechanisms and the like to other members who might have been close or who witnessed it or were on the same site. But we do not employ anyone with specialist social work skills, if that is what you are asking. No, we do not.

**The CHAIR:** Janine, Daniel and I, as part of the committee went to Barrow Island, and we were very proudly showed Butler Park, but we were not shown a couple of other accommodation facilities in Barrow. Can you talk to us about the “floatel”? I notice I have something here about the union’s concern about the accommodation arrangements, those aside from Butler Park?

**Mr Whittle:** Yes, I believe it is called the *Europa*, which is the vessel that —

**The CHAIR:** They did show us that one. We did not see this one, so can you tell us about it and what your view is?

[12.15 pm]

**Mr Whittle:** We have been having discussions with affiliates about *Europa*. They have been concerned about the lack of facilities on board and the quality of the facilities. There are certainly not regular amounts of air-con and the like in there. Apparently, it is quite an oppressive place. From all reports, they have boarded up a lot of the common areas in there. I believe it is an ex-cruise liner. It is old but it used to be quite a fancy accommodation vessel. Any luxury on the vessel has been taken away and it has been termed a prison vessel by some union members, although I have not seen it for myself so I cannot comment on their claims. Certainly, we have seen some significant problems, especially when the recent cyclone came through, around their ability to respond to that cyclone with the people on the vessel. Some workers were still there when the cyclone came through. There was a whole range of issues around running out of seasickness tablets and the like and a lot of vomiting and sickness that was associated with that accommodation facility when it came through. I think it is obvious that it is not up to scratch. It is not very well prepared for emergencies. The workers who are experiencing accommodation on it are certainly finding it very oppressive.

**The CHAIR:** How does that contribute to their fatigue and their emotional health and wellbeing and what is the union doing about it?

**Mr Whittle:** Certainly when they are feeling that the accommodation is not up to scratch—they do not need luxury accommodation but they need accommodation that will allow them to get a good night’s rest and feel comfortable—working long hours and long shifts, they need to feel rested and feel well. There have been quite a lot of discussions between unions and the employers on that. I think some of our affiliates might be more able to provide an update on that since they are having the face-to-face conversations with the company. We are not really involved in those conversations other than, I suppose, leading the occupational health and safety for the movement, getting some reports back on their concerns.

**Ms J.M. FREEMAN:** One of the issues, as I understand, is that one of the affiliates that gave news reports, which was the aim of the review, said that they have written to WorkSafe, not to the Department of Mines and Petroleum. In the case of the workers there on *Europa*, how is it they wrote to WorkSafe and not the Department of Mines and Petroleum? When they are in the accommodation, who has coverage of them as workers in that accommodation?

**Mr Whittle:** I know that there are some jurisdictional issues around this and the unions have been grappling with who the best health and safety regulator was to deal with that. I believe their industrial officers and lawyers determined that. WorkSafe had carriage of it, although there quite potentially is going to be some jurisdictional wrangling around that, which we have seen from time to time. I have seen that around some fatalities in some workplaces. I believe that even some more workers accommodated on it might be under the Comcare jurisdiction as well. That might also play into it. There is a potential of three health and safety regulators who are involved in that.

---

**Ms J.M. FREEMAN:** If they are not at work, if they are in accommodation, does anything cover them in terms of their occupational health and safety? Can the company argue, apart from the staff who work on that boat, who are the catering staff or the cleaning staff, that they have no responsibility for them in terms of their occupational health and safety?

**Mr Whittle:** We do not believe they can. It can be a bit of a grey area but it is pretty clear that they are responsible for the accommodation and housing the workers and therefore responsible for their wellbeing while they are there. There is a rewrite of the state occupational health and safety laws going on at the moment. We are quite concerned about some of the provisions in there that might actually make it clear that they have got less responsibility than they currently do. That is really adopting some of the clauses out of the model work health safety laws. It is a grey area and there are issues there but there is a duty of care for them to provide safe accommodation.

**The CHAIR:** Owen, do you see a role for us in government when we hear from mining companies, “We don’t want any more regulation, we don’t want any more red tape, we do it well.” Of course, we have been empowered by the Parliament to do this inquiry. What would you see of us in introducing some legislation, regulation, code of practice? As I shared at the Australian oil and gas conference, if you are on the tools, that is the workplace but if you go home to accommodation but it is actually very close to the mine but if it is on the mining tenement, it is deemed as part of the mining operation. But when the worker goes off shift into the accommodation, this is where I do believe there is major concern for us because they do not seem to fall under anybody’s jurisdiction. I was not reassured that the company would actually default to the argument that the worker’s not at work but we know that a lot of emotional health, suicide, mental illness occurs in the accommodation arrangements. Where does that put that worker and whose jurisdiction is it and what do we need to do as government to try to overcome that grey area?

**Mr Whittle:** I think the committee is in a very unique position. I just touched on the fact that they are rewriting the occupational health and safety laws in this state for both mining and general workers as well. They are also rewriting the workers’ compensation statute. As a committee, that provides quite ample opportunity to provide some recommendations maybe to those rewrites around more clearly defining what the responsibilities for employer and a contractor are, talking about maybe what minimum conditions can be set in camps in terms of accommodation, communication facilities and recreational activities as well. As I touched on at the very beginning today, there is a lack of research, a lack of information out there and despite some recommendations coming out of the federal government report “Cancer of the bush or salvation for our cities?”, the research that was recommended in that has not been carried out. We would very much like to see some in-depth independent research into these work arrangements. That would also provide some guidance around what kind of regulation would be appropriate as well.

**The CHAIR:** In and around those legislation and regulation concerns, is your union convinced that in the Mine Safety and Inspection Act, and in occupational health, that “health” means not only physical health but also mental health? That is question 1. Question 2: when reference to hazards is made, are you convinced that they are not only hazards to physical health but hazards to mental health and wellbeing?

**Mr Whittle:** We would take the position 100 per cent that it should and that it does. However, you might find that some contractors may as well. A lot of the negotiation that happens on site and the workers on site around occupational health and safety, hazards and health, is done at the coalface. You can regulate it up the top but how it flows through to health and safety committees and workers on the ground is really up to interpretation and agreement between the workers, the supervisors and the employers. Some contractors definitely do take that approach and we welcome that. However, there are many that do not. Certainly the pressure coming out of regulators for those definitions to more broadly include mental hazards or mental health, certainly we are not seeing that pressure come out of the regulators to force that.

---

**Mr M.J. COWPER:** Gents, alcohol and drugs in the wider community is a major concern for society, full stop. I understand that some workplaces, camps, have policies in and around drinking. Some are unrestricted, some are restricted to mid-strength beer—two per day or something—and others are totally free from alcohol. Everyone has a friend who is a fly in, fly out worker. Someone knows somebody somewhere. I have been told anecdotally that there is a real concern about the use of illicit drugs, in particular methylamphetamine, on site. I am just curious to know how the union handles such cases that are reported to them. It has been suggested that it is a coping mechanism, if you like, of living in these conditions. I am just wondering what your experience is in these matters and how you deal with such matters and any other support mechanism that you may have.

**Mr Whittle:** Absolutely, drugs is an issue in the wider community and we do have some of that reflected back onto the fly in, fly out workforce. In our experiences, you hear anecdotal stories but in terms of the actual drug use occurring on site, we hear very little of that. You might hear allegations in the media or the public or rumours going around but when speaking to workers on site, there is very little hard evidence they can provide us about that occurring. That is not to say that it does not occur. The probability and statistics say it occasionally it does. I would note that the police recently conducted a range of searching and sniffer dogs and the like around some regional airports where FIFO workers were coming through. I believe that they searched hundreds and hundreds of workers and found maybe one person with prescription drugs, from memory, and maybe two people with prescription drugs that they did not have a prescription for. It is certainly an issue that exists and it might be an issue that exists more off shift than on shift. We are certainly not being inundated with concerns from our members —

**Mr M.J. COWPER:** The mining companies themselves, if you talk to them, they will tell you that they have this fantastic regime of screening, yet you still hear these anecdotal stories. If someone was to be off shift, for instance, and they were going back on shift and they were detected as having taken drugs, where does the union stand in that situation? Do they try to walk the guy through the issue or head him in the right direction as far as seeking some assistance?

**Mr Whittle:** Quite often when that happens, that becomes a disciplinary issue and if they were a member, we would step in and discuss with the member the issues that are going on. Depending on the contractor and the site, some sites are zero tolerance—you are caught once, you are out, you are gone. I think other workplaces have a more tolerant approach, where they will bring them in and offer them counselling and the like. When counselling is offered or assistance is offered with a drug problem, we would absolutely recommend that our members seek counselling and seek help for that. However, in my time spent with the trade union movement, I might have seen one incident where a union member has been pulled up on a FIFO site in regards to this. It is not something that is beating down our doors in terms of our members getting disciplined in this regard.

**Ms J.M. FREEMAN:** Just following on from that, Owen, and the concern that it is happening off shift. I gave a speech recently talking about the history of drug testing and that aspect of concerns around what that has meant in terms of people's capacity to work. From the view of the union movement or from the peak union, have they got any view about whether the drug testing has assisted and mitigated the health and safety of workers both on and off shift or has it aggravated it? What has happened because of drug testing in terms of the sustainability and the welfare of workers?

[12.30 pm]

**Mr Whittle:** Certainly, anecdotally in the stories that we hear and the rumours that you hear, people, due to the drug testing arrangements, have moved, I suppose, their drug-taking habits to either drinking a lot more or moving to a range of hard drugs that are out of your system very quickly. These testing arrangements do not capture a range of drugs that are in and out of your bloodstream in a couple of days. I am not an expert on that, so I would not be able to tell you which drugs are and are not, but it also does lead to a binge drinking culture. Ultimately, if people are

unwell, they might be looking to these avenues to cope with stress, or cope with other issues they are experiencing on site. Sometimes that is drinking, sometimes it is other drugs, or sometimes that is self-harm or a whole range of other issues. Certainly where we find quite harsh policies that employers hold around zero tolerance of any kind of drug or alcohol, I think you probably—well, we definitely do see quite heavy binge drinking to the point at times where they know they can stop and not be detected for having any alcohol in your system. Again, that is more of an off-shift than an on-shift issue that we face. Certainly, some of the —

**Ms J.M. FREEMAN:** My question is: do the work processes and the way of dealing with it actually mitigate harm or does it increase harm? Obviously, that is only anecdotal that you can give, so if you do not want to answer that, you do not have to.

**Mr Whittle:** I would certainly say you hear a lot from FIFO workers that they feel like they are living in a prison environment. I think some workers, in the way that random drug testing happens around urine testing instead of swab testing—especially when in some sites, because of the technology, they are forced to do it in front of other people—certainly feel very victimised, and they feel very pressured around that. I would say that that would lead to that kind of very “Prison Island”-like mentality in a lot of those places.

**Mr M.J. COWPER:** The problem with our prisons is that we still cannot keep drugs out of our prisons, let alone out of work camps. The issue is that we know for a fact that organised crime is coming to Western Australia because of the high incomes and the potential for the market. It is a real worry. Just a general comment.

**The CHAIR:** We must wind up. Before we do, can I ask you just one question about motelling: what is the union’s view on it and can you explain to us the issue that has been brought to us that additional wages have been offered to induce people to accept motelling?

**Mr Whittle:** We are definitely opposed to motelling. We think before motelling was brought in as a policy by some contractors, you would find that when people were living near or next to each other in a camp, they would develop a sense of community and relationships with the people around them, would develop kind of informal help networks when there were issues, or just generally have a sounding board amongst the teleco workers. Once motelling was introduced, amongst much opposition by trade unions and workers, certainly the reports that we have seen are how that community diminished and people from week to week are not sure who their neighbours are or are not sure who the people around them are and they become far more insular in how they conduct themselves in the camps. There are also some issues that our affiliates have reported to us around non-drinkers getting billeted closer to the wet mess; also some issues with young women getting billeted close to the wet mess and having issues around potential harassment, whereas before motelling happened, they would request and get a permanent donga or accommodation further away. In regards to the extra money that is being offered for motelling, that is certainly true. We are obviously hearing reports of extra weight being offered as an incentive for sharing your accommodation as well, so hot-bedding with a person who is not on the same shift as you.

**Ms J.M. FREEMAN:** Is that just at Barrow Island, or anywhere else?

**Mr Whittle:** It is definitely done offshore, but that is very different circumstances where you are on a vessel, so your accommodation is far less, so there are probably more justifiable reasons for it. Reports of it are from Barrow. I am not sure if it is further than that. I would say that that amounts to danger money that we used to see around people working in dust and asbestos and the like. We know it is not good for people—anecdotally we do—and offering people more money to put up with something that is going to cause them harm is something that I thought we did away with 30 or 40 years ago.

---

**The CHAIR:** Thank you, gentlemen, for your evidence before the committee today. A transcript of this hearing will be forwarded to you for the correction of minor errors. Any such corrections must be made and the transcript returned within 10 days of the letter attached. If the transcript is not returned within this period, it will be deemed to be correct. New material cannot be added via the corrections and the sense of your evidence cannot be altered. Should you wish to provide additional information or elaborate on particular points, please do so, and we would be really happy to receive any supplementary information that you have given an undertaking to do so. Thank you for your time today.

**Hearing concluded at 12.34 pm**

---