

OCCUPATIONAL SAFETY AND HEALTH AMENDMENT BILL 2017

Receipt and First Reading

Bill received from the Assembly; and, on motion by **Hon Alannah MacTiernan (Minister for Regional Development)** read a first time.

Second Reading

HON ALANNAH MacTIERNAN (North Metropolitan — Minister for Regional Development) [11.28 am]:
I move —

That the bill be now read a second time.

The purpose of the Occupational Safety and Health Amendment Bill 2017 is to increase penalties for offences under the Occupational Safety and Health Act 1984 to better align with the penalties in the model Work Health and Safety Act, with a further increase for inflation since 2010. For ease of reference, I will hereafter refer to the Occupational Safety and Health Act 1984 as the OSH act and the model Work Health and Safety Act as the model WHS act.

With the exception of Western Australia and Victoria, all other Australian jurisdictions have already implemented their versions of the model WHS act. As a consequence, penalty levels in the OSH act are significantly less than those applying in most Australian jurisdictions. In September 2014, the former government tabled the Work Health and Safety Bill 2014 as a green bill for consultation purposes. The green bill included penalties consistent with those in the model WHS act. However, the former government did not progress the green bill to Parliament.

I am pleased to report that the McGowan government is currently expediting the development of a work health and safety bill for Western Australia. This work is being conducted by the minister's Ministerial Advisory Panel on Work Health and Safety Reform. The bill will amalgamate the general industry sector and the resources sector. Thereafter, the relevant industry regulations will be developed by the panel. In the meantime, the McGowan government is increasing the OSH act penalties for general industry. The current OSH act penalties have not been increased since 2004. The current penalties do not meet community expectations and do not act as a sufficient deterrent. Examples include a \$9 500 fine in January this year for failure to take reasonable care, causing a workplace death; in June, a \$7 500 fine was imposed when a labourer was seriously injured after falling through a skylight; and, in December last year, a \$17 000 fine was imposed for a workplace fatality. This government considers these penalties inadequate. They do not adequately penalise those who put employees and the general public at risk. They do not send an appropriate message to employees about the value of their health and lives. They do not send the right message to the families of employees who do not return home safely at the end of their day. The McGowan government's increased penalties will provide a real incentive to comply with workplace safety laws. They send a clear message about the importance of maintaining a safe workplace.

Pursuant to standing order 126(1), I advise that this bill is not a uniform legislation bill. It does not ratify or give effect to an intergovernmental or multilateral agreement to which the government of the state is a party; nor does this bill, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the commonwealth.

This bill sends a clear message that the McGowan government is committed to ensuring that all workers return home safely from work. I commend the bill to the house.

For the information of members, I also table an explanatory memorandum.

[See paper 863.]

Debate adjourned, pursuant to standing orders.