

WORKSAFE WESTERN AUSTRALIA — CODES OF PRACTICE

**12. Ms M.J. HAMMAT to the Minister for Industrial Relations:**

I refer to the McGowan Labor government's commitment to protecting the health and safety of Western Australian workers. Can the minister update the house on the work being undertaken by this government to protect Western Australians from inappropriate behaviour in the workplace?

**Mr W.J. JOHNSTON replied:**

I am pleased to answer the question from the member for Mirrabooka, who has spent a lifetime advocating on behalf of working people and also on behalf of women and who is an example of the high-quality female candidates that the Labor Party has supported over the years. The previous member for Mirrabooka was another example of that type of high-quality candidate who has come to this place on behalf of the Labor Party. That was done by affirmative action, which, of course, the Liberal Party opposes.

Today, I was pleased to support the release of three codes of practice by the WorkSafe Western Australia Commissioner. I intended going to the launch, but because of the protest action I was not able to join him for the launch of the *Code of practice on workplace behaviour*, the *Code of practice on psychological hazards in the workplace*, and the *Code of practice on violence and aggression at work*, which provide guidance to employers on managing their responsibilities to protect workers from harm in the workplace.

The existing code of practice—the *Code of practice on violence, aggression and bullying at work*—was published in 2014 under the former government. Obviously, that proved inadequate as Caitlyn Rintoul from *The West Australian* has demonstrated by exposing the issues in the mining industry. We are not going to sit on the position that the Liberal Party accepted when it was in government, and we have gone further on these three workplace codes of practice. I urge employers to look at those.

They are not the only things that we are doing. Of course, in 2019 we published the code of practice on mentally healthy workplaces for fly in, fly out workers in the resources and construction sector. The Department of Mines, Industry Regulation and Safety's mentally healthy workplaces online hub was also launched in 2019, with many resources to help employers to meet their obligations in the mining industry. The mentally healthy workplaces program was established under the mines safety directorate of the department in 2021, and includes proactive inspections relating to mentally healthy workplaces. The mentally healthy workplaces grants program was an election commitment made by the Premier in March last year. Under the grants program, \$250 000 a year will go to Mates in Construction over the next four years, and an additional \$250 000 a year will go to Steering Healthy Minds. A further \$500 000 a year will go to other organisations through a competitive process. Applications opened on 17 January this year and closed on 6 February. In my capacity as Minister for Mines and Petroleum, I will determine the allocation of those grants on the advice of DMIRS and the Mental Health Commission. The work health and safety implementation peak body grants program will also support the new work health and safety legislation that was passed in the last term of government and will be fully implemented in the next couple of weeks. An amount of \$600 000 a year has been going to peak bodies to support them as they work with their membership on the introduction of the new legislation. Those resources have gone to the Chamber of Commerce and Industry of Western Australia, the Master Builders Association of Western Australia, the Chamber of Minerals and Energy of Western Australia, the Housing Industry Association, the Association of Mining and Exploration Companies and UnionsWA.

Members can see that the government has a comprehensive suite of work underway to support mentally healthy workplaces and remove psychological hazards, because we now know that psychological hazards are just as big a threat to workers as physical harm. This is not to reduce the emphasis on eliminating physical harm, but rather to take that next step and concentrate on removing psychological harm in workplaces. I urge all employers to fully understand their obligations, which have existed since 1986, but apparently have not been properly implemented by employers in their workplaces. I urge people to look at the decision of the tribunal in the matter of *Horne and McIntosh v Press Clough Joint Venture*, which clearly set out, in 1994, the obligations on employers. The idea that this is somehow a new issue is wrong. This is an established issue for employers. There is no doubt about their legal obligations, and I am aghast that nearly 30 years after the landmark decision, employers went to the inquiry of this chamber and said that they did not understand their obligations. What an absolute disgrace! It is nearly 40 years since the obligations were created and nearly 30 years since any doubt was removed by the tribunals about employer obligations. That employers said in public that they did not know what they were doing is disgraceful, and there will be consequences for that disgraceful behaviour by those employers.