

Commission for Occupational Safety and Health MINUTES – 2 June 2021

Meeting No:	407	Time:	8.30am
Venue	Koorling Dandjoo Conference Room, 1 Adelaide Terrace, Perth	Secretariat:	Department of Mines, Industry Regulation and Safety (DMIRS)

Attendees

Dr Trish Todd	Chair
Mr Darren Kavanagh	WorkSafe Western Australian Commissioner (Commissioner)
Dr Matthew Davies	Expert member
Dr Lin Fritschi	Expert Member
Ms Tracey Bence	Expert Member, proxy for Dr Julia Norris
Ms Elysha Millard	Chamber of Minerals and Energy (CMEWA)
Ms Jennifer Low	Chamber of Commerce and Industry WA (CCIWA)
Mr Paul Moss	Chamber of Commerce and Industry WA
Ms Debbie Larson	UnionsWA, proxy for Ms Erin Gisborne
Mr Glenn McLaren	UnionsWA
Mr Owen Whittle	UnionsWA
Mr Andrew Chaplyn	Director Mines Safety, DMIRS

Guests

Mr Chris White	Chief Executive Officer, WorkCover
Mr Ian Munns	Deputy Director General Safety Regulation, DMIRS
Ms Sally North	Director WorkSafe Service Industries and Specialists, DMIRS

Apologies

Ms Erin Gisborne	UnionsWA
Dr Julia Norris	Expert Member

Executive Support

Ms Anika Moore	Executive Officer, DMIRS
----------------	--------------------------

Administrative Support

Ms Sari Mattila	External Consultant
-----------------	---------------------

1 ADMINISTRATION

1.1 Opening and welcome

The Chair opened the meeting of the Commission at 8.30am, welcoming Ms Debbie Larson as proxy for Ms Erin Gisborne, until a decision is made by UnionsWA regarding a permanent replacement for Ms Gisborne. The Chair also welcomed Ms Tracey Bence as proxy for Expert Member, Dr Julia Norris.

1.2 Apologies

Apologies were accepted from Dr Julia Norris and Ms Erin Gisborne.

1.3 Confirmation of agenda

The agenda was confirmed as the business of the meeting.

1.4 Declarations of Conflicts of Interest

Conflicts of interest were declared by a UnionsWA representative and a CCIWA representative, in relation to safety and health representative training.

1.5 Other Business admitted by the Chair

No other business was admitted by the Chair.

2 PREVIOUS MEETING/S

2.1 Confirmation of previous meeting minutes

The Commissioner noted that an email was sent to Commission members out of session, reminding them of protocols and responsibilities in relation to media enquiries and communication with outside entities.

The Commission **ENDORSED** the minutes of meeting 406, held on 5 May 2021.

2.2 Review action list from previous meeting

The Chair drew members' attention to the following general action list items:

Agenda Item 3.3 of 3 October 2018 – DMIRS to provide report of findings to the Commission on completion of Silica Inspection project.

The Chair noted that Ms Sally North was to provide a report of the silica inspection project during the meeting, which would complete this action

Actions 10 and 11 of 3 March 2021 - Commission members to provide materials relating to previous work and SHREP research to the Executive Officer AND DMIRS to prepare an agenda paper for consideration by the Commission, with background information regarding increasing SHREP numbers.

The Chair highlighted the need to collate relevant information before the matter comes back to the Commission and requested that members provide materials to the Executive Officer. A CCIWA representative suggested that videos and hand out materials previously produced by DMIRS, in relation to SHREPs, may be useful. Mr Andrew Chaplyn advised that the videos were prepared for the Mines Safety Roadshow a few years ago and that a past PHD thesis focussed on barriers to SHREP training may also be relevant.

Action 1 of 7 April 2021 – Executive Officer to liaise with Data Linkage Project to obtain contact details of person responsible for working with organisations at the data source level, to discuss extracting data for regulatory and Commission purposes.

The Executive Officer sought clarification regarding the Commission's purpose in contacting the Data Linkage Team, to ensure the correct contact details were obtained. Members advised that the contact details would be for in case the Commission decides to pursue future action relating to the Data Linkage Team in the future.

The Commission **AGREED** that the Executive Officer should follow up with the Data Linkage Team to locate a contact who can provide information about the possibility of sourcing or capturing occupational data.

The Commissioner drew members' attention to the following general action list items:

Action 13 of 3 March 2021 – *The Commissioner to determine if a fatality in the marine environment is recorded in the report provided to the Commission.*

The Commissioner advised that the fatality referred to was included in the Fatalities and Significant Incidents Report for the cancelled February 2021 Commission meeting. The Executive Officer would circulate the report to members and the action item closed.

Action 9 of 3 March 2021 – *The Commissioner to seek and collate advice from experts in relation to technical feedback relating to the draft Occupational Diving Code of Practice.*

The Commissioner noted that an item relating to the Occupational Diving Code of Practice is included in the meeting agenda.

Commission members had no further comments in relation to the general action list or the Legislative Advisory Committee (LAC) action list.

ACTION 1

Executive Officer to circulate the fatality report referring to a fatality in the marine environment to Commission members.

2.3 Codes of Practice for Work Health and Safety laws

The Chair sought comments from Commission members regarding the work health and safety (WHS) code of practice review. She thanked the LAC members for their detailed comments and suggested that given the level of detail, LAC is best placed to discuss and provide advice on the remaining seven sets of duplicate codes back to the Commission.

The Commissioner highlighted the importance of the codes being ready for commencement of the WHS laws and supported the view that LAC is best placed to provide clarity on which sections of the seven sets of codes should be deleted or replaced.

A CCIWA representative noted that the changes made to the table of OSH and WHS codes more clearly indicate decisions that have been made and the difference between principles and process. She suggested that in cases where there is an OSH code but no equivalent WHS code, such as inorganic lead, it would be useful to add comment(s) to the 'Model Codes of Practice' column indicating topics included in the Model WHS Regulations.

A CMEWA representative suggested that a guiding principle be adopted, clarifying that the codes are being considered in isolation, without the Commission having an understanding of the regulations.

The Commission **AGREED** to adopt an additional guiding principle, as suggested by CMEWA.

Mr Andrew Chaplyn referred to the codes required by the mining industry at commencement of the WHS laws. He advised that MIAC had agreed to adopt the mining specific codes and would continue discussion at its next meeting, in relation to differing review requirements.

The Commission **AGREED** that the seven sets of remaining duplicate codes and related comments would be referred to LAC, to discuss further and that advice would be provided to the Commission for an out of session decision.

ACTION 2

DMIRS to update the table of OSH and WHS codes based on Commission decisions and add references to topics included in the Model WHS Regulations, in cases where there is an OSH code but no equivalent WHS code.

ACTION 3

LAC to consider the seven sets of remaining duplicate codes and related comments and provide advice to inform an out of session decision by the Commission.

3 AGENDA ITEMS

3.1 COVID-19 pandemic and recovery

The Chair opened the floor for discussion in relation to COVID-19.

The Commissioner advised that on 7 June 2021 the national Heads of Workplace Safety Authorities (HWSA) will decide whether to continue using the Statement of Regulatory Intent – COVID-19 (Statement). HWSA is also considering some minor amendments to the Statement.

In response to a question from Dr Lin Fritschi, the Commissioner advised that the inclusion of an occupational health or ventilation expert on the quarantine advisory panel had been suggested, but has not been adopted at this stage. The Chair noted the importance of continuing to suggest that there should be occupational safety and health representation on the panel.

The Commission **NOTED** the information.

3.2 Commission Work Plan – to inform discussion

The Chair provided the endorsed Commission *Work Plan* for members' reference, to inform discussion and consideration of priorities.

The Commission **NOTED** the *Work Plan*.

3.3 High Risk Work Licence Assessors

The Commissioner presented a paper, with background information and data detailing the number of High Risk Work Licence (HRWL) assessments undertaken per assessor, thanking a UnionsWA member for persistence in requesting the information.

In presenting the information, the Commissioner advised that the system used to record HRWL information does not allow for reliable automatic reporting and requires manual data extraction. The Commissioner cautioned that some errors may have occurred due to the manual assessment method.

Commission members discussed issues relating to HRWL, including:

- the different operating environments of Registered Training Organisations (RTOs);
- assessments undertaken by assessors who are not trained in the relevant competencies;
- lack of industry confidence in the training provided by RTOs;
- the amount of money spent by industry on verification of competencies (VOCs);
- the vulnerability of training quality in the face of commercial gain; and
- the pressure that skill shortages place on industry and training quality.

The Commissioner noted that there are no mandated maximum class sizes and no mandated minimum training hours, which has resulted in many RTOs and assessors offering one day courses for some HRWL training and having large class sizes. The Commissioner suggested consideration of mandating minimum hours and maximum class sizes could offer a solution to concerns. The Commissioner highlighted the Commission's responsibility in ensuring those assessed are capable of the work, noting that, as Commissioner he is responsible for reviewing the assessment process and ensuring regulatory requirements are met.

A UnionsWA representative thanked the Commissioner for providing the data and suggested that it demonstrates a truly frightening situation. He agreed that the establishment of VOC processes indicated a lack of faith in the HRWL training provided. The UnionsWA representative suggested that short cuts taken in HRWL training and assessments are negatively impacting the quality of training outcomes. He advised that he would support the introduction of nominal training hours.

The Chair noted that common concerns raised included the links between training and assessment, as well as doubts about the quality of training and poor learning outcomes. Mr Andrew Chaplyn noted the current high demand for workers, which will increase the number of inexperienced employees contracted to work in high risk environments.

A CCIWA representative suggested that vocational education and training (VET) units may provide a mechanism to mandate minimum training hours. She noted that the Australian Industry Skills Committee (AISC) would have to consider a case for change, to specify the number of times that a training activity must be undertaken, in the National Assessment Instrument. CCIWA acknowledged the complex issues related to HRWL training and assessment, with some responsibilities falling outside the remit of the Commissioner.

Mr Ian Munns noted that the new WHS laws may provide greater scope to influence training and assessment behaviours. He informed attendees that assessors were required to attend an event run by WorkSafe a few years ago, detailing the requirements and expectations of HRWL assessors.

In response to a question from a UnionsWA representative, Mr Munns advised that an assessor had previously been reported to the Corruption and Crime Commission (CCC) for issuing statements of attainment without undertaking proper HRWL assessments.

The Commissioner advised there had been instances where applicants had not completed practical components of the training, in which case a letter was sent to HRWL holders seeking information about their experience. He informed attendees that referring assessors to the CCC was a responsibility of the regulator, rather than a role for the Commission. The Commissioner advised that Safe Work Australia (SWA) is considering issues regarding assessor compliance and will communicate outcomes to industry.

The Commissioner agreed that there was value in exploring mandating of minimum hours and suggested that writing to organisations involved in HRWL training would be a good first step. He offered to write to the AISC, the Training Accreditation Council (TAC), the Australian Skills Quality Authority (ASQA), the Construction Training Fund (CTF) and the WA Registered Assessors Association (WARAA).

The Chair noted that during their presentation to MIAC, TAC and ASQA had welcomed any feedback from industry.

A UnionsWA member advised that he had not yet heard from TAC and ASQA after he requested to meet with them after their MIAC presentation.

The Commission **AGREED** for the Commissioner to write to SWA in relation to HRWL issues and seek support for the proposed changes to mandate minimum hours.

The Commission **AGREED** that the Commissioner will write to AISC, TAC, ASQA, CTF and WARAA in relation to HRWL training and assessment issues, raising the possibility of mandating nominal hours and maximum class sizes.

The Commission **AGREED** to add training and assessment of HRWL to the Commission Work Plan to monitor related issues, with a medium level priority.

Members discussed the serious problems associated with accessing timely and reliable data from the DMIRS WorkSafe Information System Environment (WISE) and Complaints and Licensing System. The Commission **AGREED** that the Chair should write to the Hon Stephen Dawson MLC, Minister for Industrial Relations (Minister) and provide the Commission's support for the DMIRS budget submission seeking funding to replace WISE with an updated system.

ACTION 4

The Commissioner to send a letter to SWA, raising HRWL issues and seeking support for the proposed changes to mandate minimum hours.

ACTION 5

The Commissioner to write to the Australian Industry Skills Committee, the Training Accreditation Council, the Australian Skills Quality Authority, the Construction Training Fund and the WA Registered Assessors Association, in relation to HRWL training and assessment issues, highlighting the possibility of mandating nominal hours and maximum class sizes.

ACTION 6

Executive Officer to add monitoring of issues related to High Risk Work License training and assessment to the Commission Work Plan, as a medium level priority.

ACTION 7

The Chair to write to the Minister and provide the Commission's support for the DMIRS budget submission seeking funding to replace WISE with an updated system.

3.4 Occupational Diving Code of Practice

The Chair thanked the Commissioner and Dr Matthew Davies for reviewing the feedback from the public submissions. She also expressed appreciation to DMIRS for providing a summary of the work done to date, in relation to the Occupational Diving Code of Practice (Diving Code).

The Chair noted the Commissioner's recommendation to discontinue progression of the draft Diving Code, in light of the advice and feedback provided by stakeholders. The Chair sought Commission views on the optimal way to regulate the diving industry and ensure safety. She sought endorsement of the recommendation to cease further development of the Diving Code.

The Commissioner referred to the paper detailing the history of work on the Diving Code and thanked Dr Davies for his assistance in considering the public submissions. The paper highlighted:

- the input of the occupational diving working party in 2016 and 2017;
- the establishment and role of the Commission Diving Working Group (DWG) in 2018 to produce a Diving Code, which was released for public comment in 2019; and
- consultation feedback indicated that the code was not well received and there was generally an overwhelming lack of support for it by stakeholders.

The Commissioner noted that the model Work Health and Safety Regulations Part 4.8 Diving Work, together with the existing Australian Standards will impose much higher level duties upon persons conducting business or undertakings than was provided in the current draft Diving Code.

A CCIWA representative suggested that education of diving employers and workers is important to improve safety outcomes. Dr Davies noted the critical role that knowledge of processes involved in planning dive operations play, proposing that standards used in scientific dive operations be considered when developing materials.

A UnionsWA representative agreed with the recommendation to cease work on the Diving Code, noting that work on guidance materials to support the WHS Regulations should be a priority post harmonisation, to allow for management of safety issues in the diving industry.

At the request of a UnionsWA representative, the Chair **AGREED** to seek clarification as to whether a pearling industry code of practice was endorsed by the Commission.

The Commission **ENDORSED** the recommendation to cease further development of the draft Diving Code.

Commission members discussed the need to develop guidance materials and utilise information from the Diving Code that may add value to other guidance. The Commissioner suggested that there are parts of the draft Diving Code that could be utilised in assisting industry to understand safety requirements.

In response to a question from the Chair, the Commissioner advised that it was not necessary to reconvene the DWG. He noted that the Commission had previously thanked DWG members for their work on the Diving Code.

The Commission **AGREED** to ensure that an education program and guidance materials are developed, to support industry to supplement the WHS Regulations and Australian Standard AS 2299 requirements.

The Commissioner noted the obligation to communicate with the Minister and industry in relation to the Commission's decision in relation to development of guidance materials.

The Commission **AGREED** that the Chair would write to the Minister, advising of the Commission's decision to cease further development of the draft Diving Code.

The Commissioner offered to work with the Chair, to determine an appropriate approach to communicate the decision to industry and the community.

ACTION 8

The Chair to seek clarification as to whether a pearling industry code of practice was endorsed by the Commission.

ACTION 9

The Commission to ensure that an education program and guidance materials on occupational diving are developed, to support industry to supplement the WHS Regulations and Australian Standard AS 2299 requirements.

ACTION 10

The Chair to write to the Minister, advising of the Commission's decision to cease further development of the draft Diving Code.

ACTION 11

The Commissioner to work with the Chair, to determine an appropriate approach to communicate the decision, to cease further development of the draft Diving Code, to industry and the community.

3.5 Work Health and Safety Ministers meeting

The Commissioner provided an update regarding the recent work health and safety (WHS) Ministers' meeting, emphasising key matters and three recommendations that were the primary subject of the meeting:

- Recommendation 13 - introduce a nationally consistent industrial manslaughter offence into the model WHS laws, using the Queensland laws as a starting point; and pursue adoption of this amendment in other jurisdictions through the formal harmonisation of WHS laws process.
- Recommendation 23 - The committee recommends that Safe Work Australia engage with WHS regulators and emergency services providers in each jurisdiction to develop clear guidelines for the notification of families of an industrial death, with a focus on timeliness and the manner in which the notification is made.
- Recommendation 27 -The committee recommends that Safe Work Australia work with the WHS regulator in each jurisdiction to establish advisory committees designed to give advice and make recommendations to the relevant minister about the information and support needs of persons who have been affected directly or indirectly by a workplace incident that involves a death, serious injury or serious illness.

The Commissioner noted that the Western Australian *Work Health and Safety Act 2020* already includes an industrial manslaughter provision, which will not be amended. He advised that a number of states are not in support of the industrial manslaughter component.

Rider safety was discussed and SWA is currently developing materials in relation to the issue. The Western Australian Minister advocated for SWA to continue on the education and information component of the work and for HWSA to look at the regulatory or compliance component. There was agreement that this work is important to improve safety standards for gig economy workers.

Sexual harassment discussions focussed on the Australian Human Rights Commission *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces Report (Respect@Work Report)*. In line with recommendations from the Respect@Work Report, the Workplace Sexual Harassment Council has been established. A South Australian representative from WorkSafe is the regulator on the Council. All states have committed to providing a detailed response on each of their government's actions.

In response to comments from a UnionsWA representative, regarding the work still required in Western Australia to collate data and ensure safety of gig economy workers and their ineligibility to receive workers compensation, the Commissioner advised that the Western Australian Police Force has agreed to report road fatalities that may be work related to WorkSafe.

The Commission **NOTED** the update.

3.6 Silica update

Ms Sally North, Director WorkSafe Service Industries and Specialists from DMIRS, provided an update on the finalisation of the *Report – WorkSafe WA silica compliance campaign* (report).

Ms North advised that the report is yet to go through final editorial review and a scientific publication is currently being prepared.

A UnionsWA representative expressed appreciation for the depth of information provided in the report and sought clarification about:

- the reason for not including information regarding lung damage that was not silicosis in the document;
- what work WorkSafe has undertaken in relation to wall chasing; and
- if any enforcement or prosecution was underway in relation to information included in the report, that 25 per cent of stone fabrication workers were exposed to respirable crystalline silica above the Workplace Exposure Standard (WES).

Ms North noted the range of causes of lung damage, some of which is work related and some not. She explained that, if other causes of lung damage were included, then extra information would be required which would move the focus of the report away from the effects of silica exposure. Ms North advised that wall chasing had been an interest of concern for some years and that WorkSafe had met with peak bodies and major builders to raise concerns and highlight hazards. Due to the quick turnaround time of wall chasing, encountering the work in progress is difficult and an ongoing challenge for enforcement. In relation to exposure above the WES, action is taken on a case by case basis, due to the differing circumstances of each case.

The Commissioner noted the possibility of referring the wall chasing issue to the Construction Industry Safety Advisory Committee (CISAC) and the WA Construction Safety Alliance. He highlighted that the data in the report demonstrates that industry is not moving quickly enough and informed attendees that he expects stronger enforcement measures will be required to prompt faster change.

A UnionsWA representative suggested that wall chasing could be better defined as drilling and chasing. The Commissioner agreed that it is important to clearly define the activity and be explicit in the regulations.

In response to comments from Dr Davies, Ms North advised that WorkSafe is aware of a range of equipment and tools that expose workers to hazardous levels of silica and dust.

In response to a query from a CCIWA representative, Ms North agreed that a footnote could be added to the report, advising that it is possible to measure to half of the exposure level.

Dr Lin Fritschi sought to have a stronger call to action in the report, with more emphasis on the terrible effects of silica dust and clearly stating that exposure to silica dust is unacceptable. This view was supported by Ms Tracey Bence. Ms North agreed to include a stronger call to action in the report.

A CCIWA representative advised that the National Dust Disease Taskforce has a project to analyse what controls are most effective in specific locations and will make recommendations to industry.

The Commission **NOTED** the update and that the action item from agenda item 3.3 of 3 October 2018 is now complete.

3.7 Safe Work Australia reports – support for families affected by an industrial death

The Commissioner provided two reports commissioned by SWA, looking in to jurisdictional arrangements for providing support to families affected by an industrial death. He emphasised the importance of having national principles for supporting the families of people who die at work.

The Commissioner informed attendees of plans to convene the Affected Families and Workers Advisory Committee (AFWAC) before the next Commission meeting. He expressed hope that an AFWAC co-Chair would be appointed soon. The Commissioner advised members that the Family Support Liaison Officer has been in touch with families and will attend the meeting.

Mr Chris White advised that the fatality compensation process, which was previously a source of concern for affected families, has been reviewed and is now working well.

The Commission **NOTED** the report and that Action 5 of 5 August 2020 is now complete

4 STANDING ITEMS

4.1 Application for re-accreditation of Training Course for Safety and Health Representatives - Trainwest

The Chair presented an application for re-accreditation of safety and health representative (SHRep) training from Trainwest, noting the detail included in the documents supporting the re-accreditation application.

No objections were raised and the Commission **ENDORSED** the application by Trainwest for re-accreditation of SHRep training.

1.2 Construction Industry Safety Advisory Committee meeting – 11 May 2021

The Commissioner provided a report of the CISAC meeting held on 11 May 2021, highlighting:

- continued concerns in relation to fatalities in the area of traffic management, with work underway in relation to signage; and
- a request for CISAC to assist with reviewing National Assessment Instruments.

In response to the Chair, the Commissioner advised that CISAC members had raised concerns in relation to HRWL and were supportive of implementing nominal hours and maximum numbers in relation to training and assessment.

The Commission **NOTED** the report.

1.3 Mines Safety Directorate update

Mr Andrew Chaplyn provided an update advising that the next MIAC meeting will be held on 9 June 2021. He explained that an extraordinary meeting was held to consider prioritisation requirements of codes specific to mining, existing codes and proposed new codes.

The results of the Mines Safety Directorate Mentally Healthy Workplace Audits are being shared, with a recent presentation made to the Chamber of Minerals and Energy WA.

The Commission **NOTED** the update.

4.4 WorkCover WA verbal update

Mr Chris White provided a verbal report, informing attendees that indexation of entitlement and leave will be completed by 30 June 2021. He advised that there are plans to resume face to face dispute resolution procedures, which were halted in 2020 due to COVID-19 restrictions.

Mr White reported that there had been no new silicosis claims and explained that an issue regarding working directors with silicosis would be resolved, allowing for Workers Compensation coverage. He advised that work on the draft workers compensation legislation is continuing.

The Commission **NOTED** the update.

4.5 Regulatory Activity Report – March 2021

The Commissioner mentioned two review decisions by the Occupational Safety and Health Tribunal (OSH Tribunal) in relation to:

- not reissuing a restricted asbestos removal license due to it not meeting the criteria required which was upheld by the tribunal; and

- a notice of obligations regarding a designer who did provide information regarding hazards which was upheld.

Dr Matt Davies sought access to decisions made by the OSH Tribunal and a UnionsWA representative sought summaries of court decisions. The Commissioner advised court decisions cannot be released until after the appeal period, but **AGREED** to send Commission members the link to the OSH Tribunal webpage, where decision summaries are published.

In response to a request for information from a CCIWA representative about disease notification trends during COVID-19, the Commissioner advised that the annual State of the Work Environment Report provides information regarding injury and disease notifications.

The Commission **NOTED** the Regulatory Activity Report to 30 April 2021.

ACTION 12

Executive Officer to provide Commission members with a link to the OSH Tribunal webpage, where decision summaries are published.

4.6 Fatalities and significant incidents

The Commissioner advised that there were two confirmed work-related traumatic injury fatalities notified to DMIRS, falling within the department's recording guidelines:

- A 67 year old truck driver died when the truck he was driving exploded.
- A 40 year old resident with a disability at an independent living home fell and died at the scene when a sling hoist came loose while being transferred by the sling hoist.

The Commissioner sought endorsement from the Commission to provide the fatalities and significant incident report to subordinate committees.

The Commission **ENDORSED** the provision of the fatalities and significant incident report to subordinate committees, including CISAC and the MIAC.

The Commission **NOTED** the fatalities and significant incidents report.

ACTION 13

The Commissioner to provide the fatalities and significant incident report to subordinate committees.

4.7 Exemption Certificates

There were 4 exemption certificates granted since the May 2021 meeting.

The Commission **NOTED** the exemption certificates.

4.8 Commission Correspondence

The Chair noted the Minister's response to the Commission's letter supporting additional resources for DMIRS to implement the WHS legislation. She sought views from members about sending further correspondence, specifically in relation to the difficulty in accessing information and data from current DMIRS information technology (IT) systems.

The Commission supported comments made by Dr Davies emphasising the benefits of prevention rather than reaction and noting the importance of reliable and timely information to identify emerging issues. Commission members **AGREED** that this should be emphasised in the letter to the Minister drafted for Action Item 7.

The Commission **NOTED** the correspondence included in the agenda papers.

5 OTHER BUSINESS

5.1 Asbestos decision

A UnionsWA representative asked about the possibility of prosecution in relation to the removal of asbestos without a license. The Commissioner noted previously reported changes to the process for asbestos licence removal applications and renewals. He explained that information received by WorkSafe indicating removal of asbestos without a license, while providing proof of a breach of regulation, did not necessarily provide a basis for prosecution.

The Commission **NOTED** the information.

5.2 Agenda item regarding education communications plan relating to new WHS regulations

A CCIWA representative requested an item be placed on the agenda of the next meeting relating to communication and education plans for the new WHS legislation. The Chair noted the importance of setting a timetable for activities. The Commissioner **AGREED** to provide a briefing at the next meeting.

ACTION 14

The Commissioner to provide a briefing to the Commission regarding communication and education plans for the new WHS legislation.

6 CLOSE AND NEXT MEETING

There being no further business, the Chair declared the meeting closed at 11.40 am. The next meeting is scheduled for 7 July 2021.

**MINUTES OF MEETING NO: 407
OF THE
COMMISSION FOR OCCUPATIONAL SAFETY AND HEALTH**

HELD ON 2 JUNE 2021

ENDORSED AS A TRUE AND ACCURATE RECORD OF THE MEETING

Dr Trish Todd

Chair

Date