

## Comments on the *Work Health and Safety Bill 2014*

Clause (section) of the Model WHS bill	Comment
Clause 7	The APA supports the removal of volunteers from the definition of a worker to reduce costs to organisations relying on volunteers to perform community services.
Part 2 – Health and safety Duties	The APA acknowledges these are very similar to that in our current legislation and there were no issues raised from feedback from states where this legislation has been in place.
Clause 12 (2)	The state government has resisted the pressure to sign up to the model WHS legislation with one of the key reasons being that it did not extend to cover mining, oil and gas sectors to date. It is therefore surprising that a Bill is being presented that will not apply to the mining or oil and gas sectors. Current legislation uses similar terms with Acts relating to these areas but this new Act will create more significant differences for health professionals to be aware of.
Clause 35, 36, 37	<p>The most significant difference between our current legislation and the proposed Bill is currently in addition to clause 36 and 37 businesses are required to report any injury which is likely to prevent the employee from working within 10 days of the day of the injury.</p> <p>Firstly, this in particular helps to capture more of the musculoskeletal injuries that do not directly fall under the serious injury and illness classification but which have a significant impact on a workers ability to perform their job.</p> <p>There can be an argument that this information is captured through workers compensation reporting. But in WA, unlike other states, we have two separate bodies in WorkCover and WorkSafe meaning this information is not readily available to WorkSafe for their decision making across industry. We would like this to be considered either in the legislation, or the regulations to sit underneath to further define serious injury and illness to include a similar time frame for lost time injuries.</p> <p>Thirdly there does not seem to be any specific provision for reporting on occupational diseases. This could be considered also either within the legislation or within the regulations used to support and interpret it.</p>