

DEPARTMENT OF
THE ATTORNEY-GENERAL AND JUSTICE

Work Health and Safety Advisory Council

Annual Report
2020-2021

NTWork**Safe**



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Function of the Work Health and Safety Advisory Council

The Work Health and Safety Advisory Council (WHSAC, the Council) is established under the *Work Health and Safety (National Uniform Legislation) Act 2011* (the Act) to carry out the following functions in accordance with schedule 2(3) of the Act:

- Keep under review the operation of the Act.
- Make recommendations to the Minister on possible changes to the administration of the Act or standards of work health and safety in the Northern Territory.
- At the Minister request, investigate and report on matters relating to work health and safety.
- Perform any other advisory functions relating to work health and safety as the Minister directs.

Meetings of the Work Health and Safety Advisory Council

In accordance with schedule 2(9) of the Act, WHSAC must meet when directed by the Minister to do so, and at any other time the WHSAC chair considers appropriate.

Membership of the Work Health and Safety Advisory Council

In accordance with schedule 2(4) of the Act, the Council membership consists of:

- The Work Health Authority.
- Not more than 10 other persons appointed by the Minister, which includes:
 - Persons with a wide range of experience extending as far as possible across all major industry sectors in the Territory, and
 - As far as is practicable, consists of equal numbers of representatives of organisations representing employees.

Current Work Health and Safety Advisory Council Members

On 24 June 2020 the Minister appointed the following WHSAC members consisting of the following membership for a term which expires on 24 June 2022.

Mr William Esteves – NT WorkSafe - Work Health Authority

(Appointed 18 June 2020)

Mr Esteves is the person constituting the Work Health Authority. Mr Esteves is also the Executive Director of NT WorkSafe, the Electricity Safety Regulator and the Chief Inspector under the *Radioactive Ores and Concentrates (Packaging and Transport) Act 1980*, the Northern Territory member of Safe Work Australia, and the Heads of Workplace Safety Authorities.

Ms Andrea Moriarty, Construction Industry – Chair

(Appointed 24 June 2020)

Ms Moriarty is a Director of Kalo Real Estate and the current Vice President of the Master Builders Association NT. Ms Moriarty has been involved with residential construction for the

past 11 years. Prior to this Ms Moriarty was a Registered Nurse with a focus on health education, earning a Graduate Diploma in Mental Health and Renal Health. Over the years Ms Moriarty has been involved with Workplace Health and Safety in both public and private enterprises.

Ms Marita Wilson – Construction Industry - Deputy Chair

(Appointed 24 June 2020)

Ms Wilson is the Work Health Safety and Environment Manager for the Halkitis Brothers Group. Ms Wilson has 13 years' experience on major local projects including the Strategic Indigenous Housing and Infrastructure Project (SIHIP) and the Darwin Correctional Centre at Holtze.

Mr Adam Giuliani – Union Representative

(Appointed 24 June 2020)

Mr Giuliani served in the Australian Defence Force for 20 years', completing tours in East Timor and Iraq. Following voluntary discharge Mr Giuliani was employed in the Mining, Construction and LNG Construction industries. Mr Giuliani is currently employed with Unions NT as the Project Officer for Work Health and Safety.

Ms Erina Early – Union Representative

(Appointed 24 June 2020)

Ms Early is employed as the Secretary for United Workers Union NT. United Workers Union is the largest union in the Northern Territory (NT) representing workers in areas of security, disability, hospitality, health and aged care, corrections, paramedics, fire fighters, early childcare, aboriginal health, NT Public Sector health services, regional councils, mining and Aboriginal organisations. Ms Early is also the Secretary of Unions NT the peak body of the Union movement in the NT.

Mr Mark Davies - Consultancy

(Appointed 24 June 2020)

Mr Davies is the Director for EHS Essential Services. Mr Davies has 30 years' experience in the work health and safety section. Mr Davies qualifications include a Master of Occupational Health Safety and Environment Management and a Graduate Certificate in Spatial Science.

Mr Christopher O'Brien – Entertainment Industry

(Appointed 24 June 2020)

Mr O'Brien is the Managing Director for Dreamedia.

Mr Lloyd Pumpa – Union Representative

(Appointed 24 June 2020)

Mr Pumpa is employed with Australian Manufacturing Workers Union. The union represents a diverse range of workers in mining, technical, mechanics and fitters and turners.

Ms Sandy Alp – Department of Health

(Appointed 24 June 2020)

Ms Alp is employed as a Work Health and Safety Consultant with Department of Health. Ms Alp has over 17 years' experience in Work Health and Safety which included work in a regulatory role, the WHSE Manager in the commercial construction industry and Work Health and Safety consultancy roles. Prior to this Ms Alp was a Registered Nurse at the Royal Darwin Hospital. Ms Alp has served on a number of committees over the years including the Australian Institute of Health and Safety and the Rail Safety Committee.

Mr Paul Connor – Construction Industry

(Appointed 24 June 2020)

Mr Paul Connor was previously employed with Halikos Construction Group Pty Ltd as the Safety, Environment and Quality Compliance Officer.

Activities of the Advisory Council for 2020-2021

The WHSAC met on four occasions during 2020-2021:

- 14 August 2020
- 18 September 2020
- 16 February 2021
- 24 May 2021

Key issues and items the Council addressed or considered included:

- Best Practice Review of Work Health and Safety in the NT.
- Updates on NT WorkSafe Prosecutions.
- Infringement notices issued by NT WorkSafe.
- The introduction of Industrial Manslaughter under section 34B.
- Health and Safety representatives (HSR) in the Northern Territory.

Committees

Under Schedule 2(10) of the Act, the Council may establish committees to assist it to carry out its functions.

During 2020-2021, WHSAC established an Injured Workers and Family Forum as per Recommendation 4 of the Best Practice Review of Work Health and Safety in the NT:

- Recommendation 4: That an Injured Workers and Family Forum be established, actively supported, and consulted by both NT WorkSafe and the Work Health and Safety Advisory Council.

Injured Workers and Family Forum

Membership of the Injured Workers and Family Forum Committee comprised of the following members from the Workers Rehabilitation and Compensation Advisory Council and the Work Health and Safety Advisory Council.

- Ms Cathy Spurr (Co-Chair)
- Ms Andrea Moriarty Co-(Chair)
- Mr Adam Giuliani
- Mr Brett Hagan
- Marita Wilson

The Injured Workers and Family Forum Committee met on five occasions during 2020-2021:

- 22 September 2020
- 16 November 2020
- 3 February 2021

- 2 March 2021
- 14 April 2021

The Committee considered the following recommendation from the 'Best Practice Review of Workplace Health and Safety in the Northern Territory':

Recommendation 5: That NT WorkSafe develop a more effective system to ensure that the families and victims of fatalities are supported, modelled on best practice used by police services.

Findings and recommendations will be sent to the Minister by the Chairs of both councils for the Ministers consideration.

Planned Activities of the Work Health and Safety Advisory Council for 2021-2022

Proposed work to be undertaken by the WHSAC in 2021-2022 include:

- Continuing to consider and action three recommendations from the Best Practice Review of Work Health and Safety in the NT referred to the Council:
 - NT WorkSafe develop a more effective system to ensure that the families of victims of fatalities are supported, modelled on best practice used by police services.
 - The Work Health and Safety Advisory Council monitor trends in relation to prosecutions in relation to the number of proceedings, success rate and penalties awarded.
 - NT WorkSafe develop a comprehensive plan to support health and safety representatives and health and safety committees, an encourage uptake in industry, particularly within priority industry sectors.