



Harsh laws planned for breaching OH&S standards

The NSW Government has proposed new Workplace Fatalities Legislation which would jail employers for workplace fatalities due to Occupational Health and Safety (OH&S) breaches.

The principal objection regarding the draft legislation is that every employer and manager, who through no fault of their own experiences a fatality at their workplace, could be subject to a prison term of up to five years.

A prison sentence could apply to first and previous offenders in the event of workplace deaths due to any failure to guarantee the near absolute standards of safety, health and welfare required by the OH&S Act. Even a minor breach which results in a fatality would expose the offender to higher penalties and a jail sentence.

Australian Business Limited has made a submission to both the Government and the Opposition to limit the exposure of this legislation to employers who irresponsibly put their employees' lives in danger. They have received positive feedback from the Opposition that they will vote against the current legislation. They have also met with the Minister for Industrial Relations John Della Bosca who is studying their proposals.

Members are encouraged to express their concerns to the Government and Opposition about this draft legislation by writing, emailing or calling your local member, the Premier, Minister for Industrial Relations and the Leader of the Opposition expressing your concerns about the current legislation.

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View from the Peak**