

The University of Melbourne
Occupational Health and Safety Committee

Minutes of Meeting 3/06

Meeting 3/2006 of the Occupational Health and Safety Committee was held at 2.15pm on Tuesday 18 July 2006 in the Moot Court, Old Quadrangle.

1. Welcome, Attendance and Apologies

MEMBERSHIP

Employer Representatives

Vice-Principal nominated by the Vice-Chancellor (Chair)

Vice-Principal, Human Resources or nominee

Vice-Principal, Property and Buildings or nominee

Dean of a laboratory based Faculty

General Manager, Environment Health and Safety Unit

Academic Registrar or nominee

Employee Health and Safety Representatives

Six Health and Safety Representatives (HSRs) elected by the Health and Safety Representatives (one vacancy)

In Attendance

Student Observers

One student nominated by the University of Melbourne Student Union

One student nominated by the University of Melbourne Post Graduate Association (vacant)

Occasional Observers

Other observers as determined by the Committee and invited by the Chair.

Standing Observers

In Attendance

Ms Elizabeth Baré

Ms Danielle Rostan-Herbert

Mr Stefan Delaney

Mr Garry Thomson

Ms Alison Hunt-Sturman

Mr Paul Donald

Mr Bruce Greenwood

Mr Brendan Kehoe

Ms Belinda Rule

(Minutes Secretary)

Ms Carol Bradley

Mr Raffaele Timpano

Mr Nic Halliwell

Apologies

Ms Julia McQuillan

Prof. Ivan Caple

Mr Mark Georgesz

Ms Clare Murphy

2. Minutes of the previous meeting 02/2006

The minutes of meeting 02/2006, held on 4 April 2006, copies of which had been distributed, were confirmed.

3. Action items from meeting 02/2006

3.1 Consultation Procedure

Mr Delaney provided a new draft of the Consultation Procedure, which had been revised after consultation with the National Tertiary Education Union, HSRs and staff in general. Mr Delaney reported he had received two pieces of feedback from this consultation process:

- One piece of feedback questioned the need for a Consultation Procedure. Mr Delaney advised that the Occupational Health and Safety Act 2004 (OHS Act 2004) s.36(3) allowed for the creation of consultation procedures by individual employers, and that WorkSafe guidance material encouraged it. Indeed, other institutions have been criticised by WorkSafe for their lack of a consultation procedure. The purpose of the Consultation Procedure is to clarify the relevance of the broad terms of the OHS Act 2004 for the University's specific situation.
- The second piece of feedback sought clarification surrounding the monitoring role of the HSR. Mr Delaney explained that the procedure called for HSRs to monitor employer actions in relation to Health and Safety, in line with the OHS Act 2004 s.58(2)(b). It did not call for HSRs to monitor health and safety in the workplace environment, as this is the responsibility of the employer.

Members questioned the statement that HSRs may "when necessary, seek the assistance of any person with expertise in health and safety in order to perform the role of the HSR". Members noted that s.58(1)(f) of the OHS Act 2004 unqualifiedly allows a HSR to seek the assistance of any person. Mr Delaney noted that s.70(1) allows an employer to exclude such an assisting person from the workplace on grounds of lack of knowledge of occupational health and safety, and that WorkSafe use similar language when describing the powers of a HSR in their published minutes.

The HSRs wished for further time to resolve concerns about specific wording in the procedure.

The Committee agreed that due to the length of time this procedure had already been under discussion, it was undesirable to delay its ratification until the next meeting. The HSRs agreed to compile their suggested amendments and forward them to Ms Baré within two weeks. The Committee agreed to delegate the power to ratify the Consultation Procedure to a subcommittee of Ms Baré, Mr Delaney and Mr Greenwood, which would meet after the HSRs have submitted their amendments.

3.2 HSR On-campus Refresher Training

Ms Hunt-Sturman provided a list of potential providers of HSR refresher training that she had received from HSRs and had been able to discover by her own efforts.

Mr Delaney advised he would support training by any provider the HSRs recommended, provided there were sufficient trainee numbers.

Ms Hunt-Sturman reported that the HSRs were happy for Mr Delaney to nominate a provider from the list.

Mr Delaney agreed that he would investigate the providers and choose one on the basis of how well the provider could tailor its content for the University. Cost was not a primary factor. However, members noted a full five day course was unlikely to be cost-effective due to the low numbers of potential participants.

4. Reports

4.1 Faculty and Department Safety Committees

No reports were received.

4.2 Scientific Diving Subcommittee

Mr Ahern gave a verbal report on the current status of actions toward ensuring the University's compliance with the 2002 Australian Standard for Scientific Diving AS 2299.2. These include:

- Mr Ahern has been appointed as the University's Diving Safety Officer, and undergone training as a commercial diver.
- A new policy and procedures manual has been drafted, and the first draft is under review by Dr Rod Day of the Department of Zoology, who is an active scientific diver and was part of the committee that produced the Australian Standard. Once drafting is complete, the manual will be submitted for ratification. In the interim, the manual is in the early stages of implementation in the Department of Zoology.
- The Australian Standard contains requirements for formal Scientific Diving training, but as no courses are available in Victoria, a strategy for meeting this requirement is still being developed.
- A database of information has been developed.
- A Melbourne University Diving Safety Committee is to be established, with members from Environment, Health and Safety, Zoology and other relevant departments who preferably are active scientific divers, to address training, manuals and discipline.
- Last year various universities' Diving Safety Officers formed the Australia and New Zealand Scientific Diving Association (ANZSDA), to allow information-sharing and collaboration on procedure.

Members asked whether funding was required from the University of Melbourne for the ANZSDA. Mr Ahern advised that it was not at this stage.

Members asked how compliance with the new procedures would be enforced. Mr Ahern advised that Project Risk Assessments and Pre-dive Plans would have to be submitted to him before any diving could take place, so he would always know what diving was in progress.

Members enquired about the requirement in the procedure for a Diving Coordinator to be present on site during dives. Mr Ahern clarified that this Coordinator was a person appointed for each site and approved by Mr Ahern, and that this person did not have to be Mr Ahern himself.

Members asked how the new Scientific Diving material would be incorporated into University procedure. Mr Delaney clarified that it would be submitted to the OHSC for ratification, and then incorporated into the Environment, Health and Safety Manual. Mr Delaney would consult the Insurance Manager about any implications for the University's insurance.

4.3 Health and Safety Representatives

Ms Hunt-Sturman provided a copy of the minutes of the HSR meeting of 2 May 2006, together with a verbal report.

HSR vacancies were a concern, and the HSRs were considering recruitment strategies.

Members noted that Designated Working Groups (DWGs) could consider consolidating into larger groups to decrease vacancies. One faculty is considering this. However, members noted that HSRs may be uncomfortable crossing departmental lines in the performance of their duties. Members also noted that under the current procedure, changes to DWGs must be negotiated with Mr Delaney.

Ms Hunt-Sturman reported that the issue of intimidation of HSRs was discussed by the group. The HSR who raised the issue requested that it be an agenda item at OHSC. However, no request for further action was made. In general HSRs did not feel that they are being intimidated due to their position as a HSR.

The Consultation Procedure was discussed at Item 3.1. The HSR term of office expiry was discussed at Item 4.9. HSR Refresher Training was discussed at Item 3.2.

4.4 Workload Advisory Committee Report

No reports received.

4.5 Significant Incidents

Mr Delaney reported formally on the overheating of oil in a lift motor on 3 April 2006 in the Redmond Barry building, which had been briefly mentioned at the last meeting. The motor of one of the lifts overheated and sprayed oil, which began to smoke. It is not clear whether a fire actually occurred, and so this may not truly have been a notifiable incident. However, as the fire brigade had been called, it was considered prudent to notify WorkSafe. The WorkSafe Inspector found that the maintenance records were adequate and that the lift shutdown had operated correctly. The lift in question is shortly scheduled for refurbishment, and has not been returned to service in the interim.

4.6 Regulatory Activity

Members were provided with a consolidated list of WorkSafe visits from 30 March 2006 to 11 July 2006 together with a verbal report from Mr Delaney.

4.7 EHS Management System

4.7.1 External Audits

Mr Delaney provided a report on the results of the external OHS audits to SafetyMAP (4th Edition) conducted during April and May 2006, together with a verbal report.

Mr Delaney agreed to meet with Ms Hunt-Sturman at a later time to clarify the reasons for the audit findings for the School of Dental Science.

Mr Timpano requested clarification as to whether the auditors had knowledge of the restructure of the Faculty of Land and Food Resources. Mr Delaney advised that the auditors were aware of this.

4.7.2 Review of EHS manual

The Consultation Procedure was discussed at Item 3.1.

Mr Delaney advised members for their information that the Insurance and Workers' Compensation sections of the Environment, Health and Safety Manual (EHSM) would shortly be removed and relocated to the Finance Manual and the Personnel Policy and Procedures Manual respectively.

Previously the areas of EHS, Insurance and Workers' Compensation were all run by the former Risk Management Office, but now the EHS Unit has relocated to the Department of Property and Campus Services, Insurance has relocated to the Department of Financial Operations, and Workers' Compensation has moved to the Department of Human Resources.

The EHS Unit is now responsible for the EHSM, but as it does not provide Insurance or Workers' Compensation services, it is not able maintain or update these sections of the manual. In addition, these sections are no longer aligned with Australian Standard 4801, and thus are not relevant to SafetyMAP requirements.

The policies will not be deleted from the EHSM until their inclusion in the destination manuals has been achieved, and hyperlinks will be used in the EHSM to direct users to the new locations.

4.8 Plant Operator Competency Training

Ms Hunt-Sturman reported that an internal audit had raised the concern that the University cannot demonstrate that its workshop operators have been formally deemed competent.

A senior workshop manager with staff training experience, and a qualified trainer, have agreed to work together to deliver competency assessments.

Mr Delaney expressed his support for this initiative. He is able to supply a list of rooms designated as workshops in the Property and Campus Services database of buildings.

Competency will ultimately need to be recorded in Themis.

Members asked what the consequences of a test result of "not yet competent" would be for a staff member, and whether this would cast doubt over the quality of his or her previous work. Ms Hunt-Sturman advised that the staff member, the manager and the supervisor should meet to resolve the matter. Some options would be sending the staff member to TAFE for training, or using close supervision to improve competency. Ms Hunt-Sturman further clarified that the competency assessment was only in relation to the capacity of a staff member to use equipment safely; it did not purport to test the quality of the work produced.

Members noted that if new equipment were subsequently purchased, manufacturers generally provide training in its safe use, or else other arrangements for training would be required.

4.9 Resignations from OHSC and Expired Terms of Office

HSR Terms of Office

Mr Delaney reported on the results of a request for advice to WorkSafe by a HSR and himself in relation to HSR terms of office.

On 1 July 2005, the OHS Act 2004 came into force, prescribing maximum three year terms for new HSRs (s.55(1)), and terms of office of three years from 1 July 2005 for HSRs already in office at 1 July 2005 (s.164(1)). This superseded arrangements under the previous legislation that had been negotiated between the University and the trade union at the time, which included maximum four year terms.

In line with WorkSafe's advice, HSRs at the University now fall into three groups:

1. Those who were elected prior to 1 July 2005, whose terms of office will now expire on 1 July 2008;
2. Those who were elected between 1 July 2005 and 30 June 2006 (inclusive), whose terms of office expired on 30 June 2006. Mr Delaney publicised a call for expressions of interest in nomination for these positions in Staff News, on the EHS Unit website, and by directly contacting the EHS Coordinators in the relevant DWGs. As no expressions of interest were received, all previously incumbent HSRs in this category have been declared to be re-elected, with a new term of office expiring 1 July 2009;
3. Those who were elected on or after 1 July 2006, who have a term of office of three years from the date of their election.

Resignation, and Expiry of Terms of Office of HSR Members of OHSC

Mr Delaney reported that Dr Cappai had resigned from the OHSC. Ms Baré advised that she had written to Dr Cappai to thank him for his service on behalf of the Committee.

The term of office for HSR members of the OHSC is two years. This term of office has expired for three other HSR members, and an election for these positions is required.

Mr Delaney reported that the University Secretary has agreed to provide returning officers for an election, but not other assistance. Administrative support would need to be provided by the EHS Unit.

Mr Delaney proposed a non-compulsory optional-preferential vote. This means: (a) constituents would not be required to vote; and (b) voters could choose to express preferences by numbering as many or few boxes as desired. This system is preferred because a simple "first past the post" system tends to produce a high number of invalid or informal votes.

The electoral college for the election is all incumbent HSRs, who number about 50. A call for nominations will be made, and an election will only be held if nominations exceed the number of positions available. Existing candidates would be welcome to re-nominate. Mr Delaney advised that scrutineers would be available to attend any vote count required.

The election is to be conducted before the next time the Committee meets; however, the timing will depend on the availability of University Secretary staff, who are presently busy with other elections.

Ms Hunt-Sturman announced her intention to resign from the OHSC, and not to re-nominate for her position. The Committee thanked Ms Hunt-Sturman for her great contribution to the work of the OHSC. The HSR members thanked Ms Hunt-Sturman for her organisational contribution to the HSRs.

5. Other Business

ChemWatch Materials Safety Data Sheet and Chemical Management System

Mr Delaney reported that the ChemWatch project is beginning to bear fruit. He has written to Heads of Department and Deans, requesting chemical inventories by 31 July 2006. A data structure has been created, and ChemWatch will now enter the inventories that the EHS Unit passes on, if these are provided in good time. The Deans have also been asked to nominate Faculty-wide administrators, and the Heads local administrators.

The next meeting of the Occupational Health and Safety Committee will be held on Thursday 17 October 2006 at 2.15pm in Plaza Conference Centre Room 1.

BJR
25 July 2006