

MEDIA RELEASE

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BUSINESS CALLS ON PARLIAMENT TO GET WORKPLACE MANSLAUGHTER LAWS RIGHT

A statement from:

Mark Stone AM, Chief Executive, Victorian Chamber of Commerce and Industry

Stephen Sheridan, Chief Executive Officer, Victorian Farmers Federation

Fiona Nield, Executive Director Victoria, Housing Industry Association

Rebecca Casson, Chief Executive Officer, Master Builders Association of Victoria

Tim Piper, Head Victoria, Australian Industry Group

The Victorian Government has introduced a new workplace manslaughter law to Parliament. If passed as drafted, this law risks failing to create safer workplaces while imposing fines of around \$16 million and up to 20 years jail for employers responsible for negligently causing death.

With such significant penalties it is vital that the Government gets this law right.

Jointly, our organisations help employers to get it right. We advise our members on how to meet their workplace obligations and keep their workplaces and workers safe. Our organisations and our members consider that any workplace death is one too many.

The new law must have safety as its number one objective and be workable, proportionate, fair, support continuing collaboration on safety and avoid unintended outcomes. We cannot support any law that does not achieve these objectives.

Victorian employers and employees have a shared responsibility for safety by working together.

Jointly, employer groups have proposed several sound and workable improvements to the drafting of the legislation that will enhance safety objectives. We consider that, without significant change, the legislation will have detrimental effects on safety, investment and jobs.

Once introduced, a workplace manslaughter offence must apply to anyone who has engaged in criminally negligent conduct resulting in death, not just organisations and senior officers. Everyone in every workplace has the power to improve safety standards. Including employees in this legislation can only improve safety outcomes.

We consider that the laws will disproportionately impact small business. Put simply, the operators of smaller enterprises are more likely to have a 'hands on' role in the business. Overseas experience has shown that they will likely bear the brunt of these laws.

We need laws that ensure that good employers are not held responsible for the criminally negligent actions of “rogue” employees. The proposed legislation provides no such protection.

As workplace manslaughter would also apply to fatalities resulting from mental injuries, it is particularly important that appropriate protections are in place to ensure employers are not made culpable for conduct that is not directly related to their business.

We also need more education and support for business to help them focus on prevention and provide the safest possible workplaces, and for WorkSafe to ensure its officials are prepared to manage the complexities of a manslaughter case (currently, manslaughter investigations are conducted by highly trained Victoria Police Officers).

Employers look forward to working with the Government, opposition and cross bench to ensure that these laws are fair and equitable and that they deliver improved workplace safety outcomes.

ENDS:

MASTER BUILDERS VICTORIA (MBAV)

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Since 1875, Master Builders Victoria has grown to be Victoria’s leading building and construction industry voice.

A broad-based organisation, we service the needs of the entire industry, from residential to commercial and engineering businesses, principal contractors to subcontractors, manufacturers and suppliers.

We continually assist in developing the skills of our members by providing access to a wide range of services and proactive representation to government and industry. Master Builders also serves the public of Victoria by fostering best practice work standards and acting as an independent advisory service for our industry.

AVAILABLE FOR COMMENT:

Master Builders Victoria CEO – Rebecca Casson

MEDIA ENQUIRIES:

Peter Sackett, Media and Communications Adviser,
(03) 9411 4534, 0466 777 059, psackett@mbav.com.au

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