

Submission on Behalf of the Finance Sector Union

Consultation on Regulatory
Impact Statement

August 2019



**Finance
Sector Union**

Table of contents

Heading	Page
Introduction	3
Part A – Industry context	
Industry Context	5
Part B – Issues Arising	
Workload and Work Intensification	9
Customer Abuse	10
Conflicted Pay	10
Call Centres	11
Hot Desking	11
Change Management	12
Worker Alienation	12
Safety Structures	12
Part C – Support for recommendations and outcomes	
Recommendation 3	14
Recommendation 7b	14
Recommendation 22	14
Outcomes	15
Part D – FSU Response	
Recommendation 2	17
Recommendation 7a	18
Recommendation 8	18
Recommendation 9	18
Recommendation 10	18
Recommendation 13	19
Recommendation 15	19
Recommendation 17	19
Recommendation 23	19
Recommendation 26	19
Recommendation 27	20
Recommendation 29	20
Part E - Conclusion	22

Introduction

The **Finance Sector Union** (FSU) would like to thank **SafeWork Australia** (SWA) for the opportunity to make a submission in relation to the impact of the recommendations flowing from the Boland Review into the harmonisation of the work health and safety laws.

The FSU is a member led, registered trade union with approximately 30,000 members across Australia encompassing a variety of employers within the finance industry. These employers include the big four banks, insurance providers, superannuation funds and other financial planning and brokerage firms. Our members undertake duties ranging from traditional bank telling work, through to loan and credit writing as well as data entry, technology development and a myriad of managerial and support functions within their organisations. While many of our members are still client facing, they are increasingly doing work that does not see our members engaging with customers at all.

Further, given the scrutiny currently present in the industry, there is a significant amount of uncertainty within the sector. The growth in areas of the sector such as superannuation and compliance is causing a seismic shift in the manner in which the work is undertaken and methods adopted.

FSU would like to commence by stating its broad support for the work done by Marie Boland in conducting the review and the progressive recommendations developed from the review. The FSU is more than committed to the task of harmonising all of the relevant health and safety laws across the country as this would provide a consistent approach that reflects not only the shared issues addressed by the relevant legislation, but also brings into line the incredibly important work that the FSU and other unions do in protecting our members no matter where they work.

FSU would also like to acknowledge the work done by the **Australian Council of Trade Unions** (ACTU) in the large survey work and detailed submission that it produced in relation to this important phase of the review.

The health and safety of FSU members is a significant issue that has been under regulated and neglected by employers within the banking and finance sector. Within Part A of this submission, we intend to provide SWA with some context about the sector and some of the more pressing issues that arise within the sector. We would then like to discuss broadly our support for the recommendations being raised through the Boland report and then outline some of the more significant issues and outcomes that FSU believes would be beneficial through this process.



Part A

Industry Context

Industry Context

The finance sector is one that is changing quite rapidly. Although FSU members still face significant physical threats from bank branches being held up and abusive customers entering bank premises these threats mainly relate to retail workers. As the industry has developed the front line jobs are being replaced by the rise of the internet and professionalised central workplaces are becoming the overwhelming norm.

As recently as 10 years ago, the majority of bank workers were located within the branch network and had a deep connection to the community that they serviced. While this is less the case for a majority of people, this is still the case in smaller communities that have a greater reliance on their local banking institutions. Increasingly work that was done within those communities is retreating to large office blocks where very large teams of alienated workers are fulfilling customer need such as loan fulfillment, complaint handling and even business development.

This is a very radical shift in the methods of work and has a commensurate effect of the perception of risks to the health and safety of workers within the sector.

This retreat to office towers has now seen workers put into floors within those buildings without dedicated office space, often utilising hot desks and with the inability to find and avail themselves of private spaces to undertake sensitive work or to get a break from the distracting and unproductive hot desk spaces. These workplaces are invariably chaotic.

The rise of call centres and centralised processing functions and their changing methods of work have created a situation where the working expectations of call centre workers intensifies often to the point where there is not adequate time for comfort and meal breaks. FSU has also witnessed a sharp increase in the pressure on workers to meet arbitrary and unfair sales targets as well as a connected increase in the number of highly stressed call centre workers.

This is also true of more autonomous workers within these work locations who have seen their work expectations rise to the level where the traditional construction of a 38 hour working week is beyond farcical. The work output expected in many of these cases could not be completed within 70 hours during the week let alone the 38 paid hours of the week.

One of the cascading issues from this work intensification is the lack of rest and recreation time for workers and the consequences that generally has on their home and personal lives. There are, as SWA is no doubt aware, physical manifestations of these issues in weight gain, and personal relationships being stretched and in many cases broken.

The much larger and potentially more significant issue again is the declining mental health of FSU members and the associated lack of resilience that often flows from acute and longitudinal workplace stress.

SWA would be aware of the **Royal Commission into Misconduct in the banking, superannuation, and financial services industry** (the Royal Commission). During that inquiry, there were a number of topics discussed and uncovered for public ventilation. One that sadly remained silent is the effect of the institutional conduct on the mental and physical health of the workers employed at those institutions. As the FSU has done on many occasions in the past we will shine a light on those issues within this submission.

Post the Royal Commission there were a large number of upset, disgruntled and wronged members of the public who placed phone calls, sent emails and attended the premises of our banking institutions to express their dissatisfaction with the practices of those institutions. What went untold about these stories, were the mental scars inflicted on FSU members who were on the receiving end of the abuse from the public resulting from the actions of the executive leadership of those organisations. Abuse that they not only took and had to deal with personally but that they are not in any shape or manner responsible for creating nor compensated for at the time.

There is another matter arising from the Royal Commission which has received a significant amount of media attention that has for years had a dramatic impact on the health of finance workers; that is conflicted pay models.

Conflicted pay is a model of pay constructed by the finance institutions that, amongst other things, put a significant proportion of the remuneration of FSU members contingent on their sales performance. This is a deeply rooted and malignant element of the industry and one that has for years had adverse health effects on FSU members.

As SWA is aware, there has been a sharp increase in the number of claims resulting from workplace stress and mental health issues in the workplace. This is in the FSUs view nothing new, it is simply the unmasking of a long standing issue that have not received due consideration at any time in history. It is more than encouraging that our academic and practitioner colleagues have started to engage more openly in discourse and policy development in this area.

The **National Tertiary Education Union** (NTEU) has made a submission to this consultation round outlining in great detail the academic discourse surrounding psychosocial hazards in the

work place. Many of the observations made within that submission are the same or very similar to the issues faced within the finance industry. The academic literature and copious amount of member derived data presented in their submission are both extremely helpful in guiding SWA but also white collar employers about the risks present in their workplace. FSU thanks and commends the NTEU for their efforts in putting together their submission.

SWA would know that rehabilitating workplace stress and mental disorders can take up to 3 times as long as a physical injury sustained at work. This is in part because the treatment tends to take far longer and partly because of the period of time that it takes for issues to be identified and dealt with. FSU believes that through greater and more precise regulation that meaningful, long lasting change can be achieved.

As a community, we should not waste the opportunity that we have to affect serious and meaningful change to these important laws.



Part B

Industry Specific Issues

Issues arising

From this industry context there are a number of concerns for our members health and safety that arise. These will be explored further in this section.

Workload and Work Intensification

This is one of the most pervasive and insidious issues within the sector. Having been identified by a number of agencies as serious issues for worker mental health the ongoing intensification of workload and workflow has become increasingly prevalent. We see this in the yearly recasting of performance measures within the financial institutions and the extremely high number of members who seek assistance from the FSU for performance related breaches.

What we find is that a large number of members have had years, and in many cases decades of high performance only to have their last year become a problem, and invariably it is simply that the workload intensification has reached a point where it can no longer be sustained and the member has simply broken down and now needs intensive medical assistance to deal with the psychosocial injury.

While measures can and have been taken within relevant industrial instruments, an ability to recognise this through the health and safety framework will give far greater support to our members in being able to deal with this issue.

Many of the work practices that give risk to psychosocial risks in the workplace are a result of poor management practice. This includes poor performance management practices, for underperforming staff. It is too often seen as a tool for termination of employment rather than its restorative function for reasonable performance objectives. The failure of many employers to properly deal with performance issues only leads to greater workplace stress and less productive workers. FSU assists hundreds of members annually with their performance management processes. In over 60% of cases the process is delayed because of members having to take time off to deal with the stress of the situation and in far too many occasions is handled so badly that members feel they cannot go back to work at all. This is a serious and devastating failure of employers to recognise the risks that these processes pose to employees and to manage that risk appropriately.

Another connected issue is the lack of staffing support in the finance industry and tendency for employers to not replace staff that leave the organisation and expect other workers to pick up the additional load. This is a bifold problem, firstly, workers have the stress of increasing workloads

necessitated by reduced staffing compliments. Secondly, the uncertainty about the roles and the replacement of staff is a further stressor recognised as a psychosocial hazard.

Customer Abuse

The risk posed to our members by aggressive and abusive customers is unacceptable. Allowing our members to receive the abuse and punishment that they do from customers is becoming an increasingly regular occurrence and poses an unacceptable risk to their health and should be more comprehensively dealt through the model regulations.

The model regulations should deal with not only the risk that customer abuse poses to the psychological health of workers but also describe control measures that can be put in place to manage those risks.

Conflicted Pay

Methods should be put in place to recognise that some workplace practices inherently pose a risk to the health and safety of workers and should be avoided where possible. FSU submits that conflicted pay models are one such practice.

Other than advancing the commercial interests of the financial institutions there is no sound basis for such a remuneration model and including them poses a needless risk to the health and safety of workers within the sector. It is the submission of FSU that if industry codes of practices are adopted and mandated within the legislation that should be required to identify and propose solutions to the conflicted pay epidemic within the sector if only to deal with the extreme risk that it poses to the health of our members.

This issue poses an interesting intersection between industrial instruments, employer policies and the proposed industry codes of practice. This is something that the FSU believes will need to be dealt with through the outcomes of this consultation. If these matters are to be dealt with appropriately, there may need to be some additional matters added to the *Fair Work Act 2009* (Cth) outlawing certain terms in industrial instruments that pose an inherent risk to the health and safety of workers.

Further, there is a link between the targets that are set and the poor management practice adopted to achieve them. Often FSU members are bullied by managers keen to see their own targets met and this has an overwhelmingly negative influence on the workers tasked with achieving the targets and the stress that comes with the need to receive an incentive payment to meet household stress. This is an insidious cycle that better regulation in this area may be able to assist in breaking.

Call Centres

Another such area where the psychosocial risks have become inherent is in the call centre and centralised processing environment. The very precise timing that workers are required to undertake lead to issues of worker fatigue, immense stress from having to meet call quotas and having insufficient time to take comfort, and rest breaks that are also lost, where a call runs over the allotted time leads a significant number of psychosocial and physical risks that are unacceptable in the workplace.

More should be done to address these issues either through industry codes, or in the relevant parts of the legislation. These types of work practices are themselves the risk to the health and safety of workers rather than creating the circumstances that put the health and safety of workers at risk. It is this type of work practice that needs to be subject to regulation at least in the industry code of practice.

Another element of this working environment is the need for these workers to cross skill. Meaning that they are required to pick up sales tasks when they become available even though they are not trained for this task. Our members find this practice to be very stressful and FSU submits that this is yet another hazard that could be better regulated.

Hot desking

Sadly, FSU has dozens of members annually that have issues with hot desking. This includes the lack of proper equipment for maintaining an ergonomically sound workplace to disputes about seating arrangements. In the last 12 months alone, FSU has dealt with more than two dozen hot desking disputes many of which have had a lost time element to them.

In the case of one FSU member recently, working for Westpac in a common open plan, hot desking office space, she was verbally abused and physically assaulted because she has chosen a place to sit, that another worker wanted. This resulted in a very serious case of PTSD and a prolonged period of time out of the workplace. While this is a very bad example this is far from an isolated incident.

A definition that recognises and puts in place measures to deal with these issues and head off the concerns of our members would not only limit the amount of lost time, but do much to ensure that our members are not dealing with aggressive workplace situations and are not exposed to yet another psychosocial hazard.

Change management

This is an area where significant damage can be done regularly to the mental health of FSU members. The issues that arise in change management are significant and complex. However, they can be summarised as follows:

1. Lack of proper consultation creates cognitive dissidence between the worker and the employer;
2. The lack of control of what is happening in the workplace is already a recognised form of psychosocial risk;
3. The workload intensification that tends to follow larger scale change management is rarely accounted for properly and feeds the earlier point about the workload issues;

This is a significant area of concern not only for FSU but many other unions also, while it would be an advancement to have some form of recognition of this either in an industry code or the regulations, FSU submits that this area could itself form the basis of practice code developed by SWA.

Worker Alienation

Through the newer methods of work discussed above there is a distinct disconnection between the labour provided by FSU members and the outcomes of their labour. This disconnection has historically been described as alienation and has been shown to have a negative impact on worker wellbeing, resilience, and overall mental health.

FSU accepts that dealing with this issue in the abstract may be difficult given the modern ways of working, it is in our submission worth noting that this is a phenomenon that may even have been at the core of many of these issues and should not be silenced when having an open debate such as the one being conducted by SWA presently.

Safety Structures

Employers within the industry have made serious attempts to tightly control the safety apparatus within the legislation. Safety committees are non-functional, work groups are very large and in the case of the ANZ and National Australia Bank encompass multiple states for some work groups. There is resistance to consult on safety matters as well as provide adequate information for HSRs to be able to engage with their work groups. While this is not strictly a matter for consultation, as FSU believes the structures to be quite robust, it is illustrative of the issues faced within the finance sector.



Part C

Support for Recommendations and Outcomes

Support for recommendations

In addition to the broad support described above and the specific support for the recommendations that SWA has deemed to have a significant impact, FSU seeks to make the following additional submissions relating to a number of specific recommendations:

Recommendation 3

As discussed above, there are a number of new ways of working that are emerging even within long established sectors of the economy. This ever evolving nature of work has a significant influence on the risks that are associated and FSU is of the view that employers have not taken seriously their role in identifying and outlining the new risks that are associated with the changing face of the workplace. FSU strongly supports ongoing monitoring and research into these new risks and would be keen to also play a role within the development of this area.

Recommendation 7b

FSU has for a long time had to deal with difficult employers that fail to properly consult with their workers and to designate meaningless work groups for the purpose of representation. This often results in very large even state wide work groups that the workers within had no say about. We strongly support the insertion of a negotiation requirement within the model laws.

Recommendation 22

FSU strongly supports the increase in the amount and value of penalties arising out of breaches to the health and safety obligations of duty holders.

In 2018, the four major employers within the sector amassed over \$25 billion in profit alone. These are enormous corporations that are not concerned with or motivated by minor penalties or concerns such as those within the relevant health and safety framework.

While employers with enormous amounts of capital are not uncommon and there are a great many other industries that have similar disparity between the resources of the workers and the resources of the employers, it is particularly pronounced within the finance sector.

Research has shown that employers are increasingly focused on the penalty and not the work that they must do to resolve issues and to ensure that their workplaces are safe. It is for this

reason that the FSU has sought to take this opportunity to make the point that this is a very important that meaningful change is made in this area.

Without the penalties being sufficient to motivate the meaningful implementation of safe work methods and good mental health practices within the workplace, then harmonised and enforceable regulation will continue to not have the desired effect on these large employers.

Outcomes

This opportunity to make submissions about the recommendations to harmonise the laws and the impact that the recommendations of the Boland Review will have is invaluable for the advancement of the lives and wellbeing of FSU members all around Australia.

As a national organisation, there are a number of challenges working across the many jurisdictions and the inconsistency of the safety laws not only makes for the amplification of those issues when assisting members, but would appear to undermine the model law approach and is lacking in logical consistency.

For employers that work across large work groups with a multitude of employees doing diverse roles, there is an issue with ensuring that all employees have the same rights, protections and representation across the board. The FSU wholly supports the submission to adopt a consistent approach across the country.

Further, in light of the submission and the response both from our members, and public more broadly, FSU would like SWA to consider facilitating open public hearings on these issues, so that SWA can hear and understand first hand the experience of our members and those in the finance industry, so the SWA will have a more complete understand of just how significant these changes can be and the impact that the proposals will have on the day to day lives of workers not only in the finance industry but across the economy as a whole.



Part D

FSU Response to Identified High Impact Recommendations

Psychosocial risks (Recommendation 2)

As described above, mental health and psychosocial risk may be the biggest issues from a health perspective facing FSU members in 2019. As discussed above, there are a number of issues that flow from the methods of work utilised within the sector:

1. Customer aggression;
2. Uncertainty of work and role clarity;
3. Bullying and harassment;
4. Change management and the uncertainty of those activities;
5. Workload and work intensification;
6. Conflicted pay models;
7. Poor management action; and
8. Chaotic work environments.

By providing meaningful, well developed and best practice regulation on psychosocial risk, it is the view of the FSU that the positive impact on its members is potentially enormous.

The ability to outline and enforce against the potential psychosocial risks arising from the workplace and make employers take notice of these issues is incredibly important.

Presently, FSU deals with large numbers of workers seeking assistance from the union annually. Their circumstances regularly include situations where employers have taken action against FSU members as a result of bullying and harassment behaviour towards members.

This is too often the case, where the complainant does not have their complaint dealt with adequately and finding that they are incapable of returning to work, because risks to their health and safety have not been identified and not managed appropriately.

While some of the circumstances identified above, are risks because of the way they are managed including change management, performance management and chaotic office environments, others are eccentricities of the sector that are inherently risks at least in the view of the FSU. This includes the conflicted pay models which were a feature of the Royal Commission in its later rounds.

The practical impacts of these changes are potentially huge, with members being able to raise concerns with proper backing and the union having the capacity to deal with issues in a more forceful way on behalf of members.

FSU strongly suggests adopting the definitions of psychosocial hazard and methods of control contained in the National Standard of Canada, specifically the **Psychosocial health and safety in the workplace** (the Standard).

Specifically, FSU would suggest utilising the definitions of Mental Health, Risk, Psychological safety, hazard, and psychosocial risk factor within the Standard.

The Standard does an excellent job at identifying useful definitions and that clearly articulate the rights, obligations in dealing with mental health and risks to mental health within the workplace.

The FSU would support the complete adoption of the Standard as the regulation within Australia. What the standard does achieve is a comprehensive outlining of the potential risks, provides a rigorous framework for dealing with those issues and ensures that there is leadership shown by the workers and employers about dealing with those issues.

The guidance material presently provided by SWA makes an attempt to replicate the architecture of the Standard within the Australian context, however, misses some key elements including a number of the known and identified psychosocial risk categories and the definition of psychosocial risk fails to reflect best practice language.

Unfortunately, the definition as it presently stands only identifies a hazard once the employee's ability to cope has been exhausted. This is a serious concern as allowing a practice or person to continue acting until an employee has determined that they cannot cope any further appears to undermine the pre-emptive framework of identify, eliminate or reduce hazards and monitor that is present throughout the balance of the risk management framework within the schema of the model legislation.

In the view of the FSU a far more proactive process should be put in place to ensure that these hazards are identified and dealt with before a worker is injured, not after they have identified that they are in serious danger.

Proper regulation may be the most significant change to come from the Boland Review. FSU urges SWA to ensure that we get these inclusions right.

Work Groups and HSRs in small businesses (Recommendation 7a)

FSU adopts and supports the submission of the ACTU on this recommendation.

Workplace entry by HSR assistants (Recommendation 8)

FSU as a registered trade union, has in excess of 500 offices filled by members of the union across the country, in addition to this there are in excess of 100 staff across the country all of whom are presently captured by the right of entry provisions within section 166 of the Work Health and safety Act 2011 (Cth). Each of the individuals mentioned above, have a variety of experience and skills including many of the staff, who as former employees within the sector have special knowledge and expertise of the issues arising within the sector.

Making a requirement that each one of those people have a right of entry permit, and in order to provide assistance to an HSR would need to exercise those rights is incredibly onerous.

The cost of providing the required training, ensure that entry rights are exercised correctly and dealing with any disputation arising creates another layer of complexity and cost that need not exist when attempting to resolve potentially enormous issues involving the health and safety of workers.

There has been a recent slue of litigation about this issue and while clarity would be advantageous, creating more right of entry requirements would be counter productive for the purpose the legislation is trying to achieve.

There would be further complicating by having to create, enumerate and enforce the rights under those entries and what type of assistance could be provided. If the aim of introducing these types of restrictions is to simplify in the submission of the FSU this would do anything but make the situation simpler.

Given the broad nature of the right for an HSR to request assistance, there does not appear to be any meaningful way to resolve the issue other than to allow the parties to resolve the issues as they evolve. HSR may request subject matter assistance, or they may request assistance to resolve a dispute or even legal advice. Attempting to regulate this area for all instances would not be possible and should not be attempted in the view of the FSU.

Cancelling a Provisional Improvement Notice (Recommendation 9)

FSU adopts and supports the submissions by the ACTU on this recommendation.

Choice of HSR training course (Recommendation 10)

FSU wholly supports this recommendation. It is our experience that many HSRs feel pressured to undertake training at the provider suggested by the employer. In many instances this has been another employer within the sector usually the Commonwealth Bank.

This practice has the potential to undermine the independent nature of the HSR and their role as a representative of the worker.

Being able to utilise the regulator to then resolve the dispute would be a positive step as this would then allow for a fairer outcome on this issue. There are a large number of providers available for the parties to utilise and having a resolution provider available would, we hope, ensure that disputation was minimised.

Referral of disputes (Recommendation 13)

FSU adopts and supports the submissions of the ACTU on this recommendation.

WHS entry permit holders – prior notice of entry (Recommendation 15)

The original, logical underpinning of section 117 was that if a permit holder found or had reasonable suspicion that a breach of the act was occurring that they could without delay attempt to resolve the issue without having to go through an onerous process in order to gain entry to the premises.

By including a 24 hours notice provision the safety of workers was once again put at risk. Without having to ensure that workers were not at risk at all times, it allowed employers time to resolve issues before being scrutinised about process or practice risks.

The FSU is of the view that immediate problems require immediate responses and having a union official being able to assist in identifying and resolving those problems is an important part. This should not be undermined by the legislation that is supposed to protect those workers from unsafe work practices.

The FSU does not believe that the impact of this amendment would be anything more than ensuring that workers are once again working at a safe workplace.

Inspectors' powers (Recommendation 17)

FSU supports and adopts the submissions of the ACTU on this recommendation.

The Category 1 offence and industrial manslaughter (Recommendation 23a & b)

FSU supports and adopts the submissions of the ACTU on this recommendation.

Prohibit insurance for WHS fines (Recommendation 26)

Perhaps more than any other industry, financial institutions are incredibly risk adverse organisations. They self insure on a variety of matters including in a lot of instances their workers compensation insurance. Financial institutions will take any measure that limits their risks and exposure. While FSU does not know whether their major employers within the sector have fine insurance, it is entirely conceivable that they would, and this may be reflected in their attitude toward their obligations.

It is not a priority for them and to the extent that they do engage they make mistakes and allow risks to manifest in the workplace far too frequently. Ensuring that there are no financial consequences to their conduct or failure to act means that progress and development in this area are doomed to remain stagnant.

Further, outlawing this type of insurance may have the benefit of refocusing employers on the benefits of a safe and healthy workplace rather than managing a risk would be an overwhelmingly good thing to come from these proposals.

By simply including a provision that ensured that these types of insurance policies are prohibited, would do the work outlined in the recommendation and would ensure that the purpose of the model laws were not undermined by risk adverse employers.

The risk management process (Recommendation 27)

FSU adopts and supports the submissions of the ACTU on this recommendation.

Safe Work Method Statements (Recommendation 29a & b)

FSU supports the adoption of this recommendation. FSU members and the relevant HSRs for the finance industry are workers used to templates and the use of technology. FSU believes that by making tools that will support these types of workers that there will be greater usage of them and as a result a greater awareness and recognition of potential risks within the workplace.

Appendix A – Recommendations likely to have nil or minor impacts

Please see above response.



Part E

Conclusion

Conclusions

In conclusion, FSU sees a fantastic opportunity here to make meaningful change to the lives of members throughout the finance industry. As an outcome of this consultation, FSU has sought the following:

1. Adoption of the recommendations made in the Boland Review;
2. Legislatively mandated industry Codes of Conduct;
3. Open public hearings into the issues faced by workers across the economy including the finance industry; and
4. The harmonisation of the Work Health and Safety Laws across the country.

In relation to the recommendations within the report the FSU made submissions:

Recommendation 2 – Strongly support the introduction of regulation of psychosocial risks to workers. To better support product and healthy workplaces and to appropriately deal with major issues in the ever changing workplace. FSU also supports the adopt of Canadian national standard in Australia as the definitions and protections for workers are adequate to ensure that workers are protected in the workplace.

Recommendation 3 – Strongly support the ongoing investment in study and analysis of changing work practices as this will assist in the development of the area and ensuring the ongoing safety of FSU members.

Recommendation 7b – Strongly support the negotiation of DWG as the practice of the major employers is to designate them without consultation or reference to the designation of workers and where they are located.

Recommendation 8 – Strongly support the elimination of right of entry requirements to assist HSRs. This undermines the ability for a union official to assist and creates an enormous onus on unions to train office bearers.

Recommendation 9 – Support ACTU submission on this point.

Recommendation 10 – Strongly support choice of trainer and dispute resolution due to the tactics presently used by finance employers in this area.

Recommendation 13 – Support ACTU submission.

Recommendation 15 – Support the elimination of 24 hours notice requirements.

Recommendation 17 – Supported ACTU submission.

Recommendation 22 – Strongly supported the increase in penalties to assist in motivating finance employers to take necessary actions.

Recommendation 23 – Supported the ACTU submission to establish industrial manslaughter laws.

Recommendation 26 – Support the abolition of these types of policy as they undermine the system in its entirety.

Recommendation 27 – Supported the ACTU submission.

Recommendation 29 – Supporting the adoption of electronic forms for Safe Work Method Statement.

For and on behalf of the Finance Sector Union of Australia
5 August 2019