



Respondent No: 2

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Responded At: Sep 18, 2023 13:20:00 pm

Last Seen: Sep 11, 2023 06:24:38 am

IP Address: [REDACTED]

Q1. Title, first name and surname

[REDACTED]

Q2. Email

[REDACTED]

Q3. Contact number, including area code

[REDACTED]

Q4. This submission is written on behalf of an:

Organisation

Q5. Which of the following categories best describes you? Choose more than one if applicable.

Trade union representative

Q6. Which jurisdiction is your workplace in? Choose more than one if applicable.

Commonwealth
Australian Capital Territory
New South Wales
Northern Territory
Queensland
South Australia
Tasmania
Victoria
Western Australia

Q7. What industry do you operate in? Choose more than one if applicable.

Mining
Manufacturing
Electricity, Gas, Water and Waste Services
Construction
Transport, Postal and Warehousing
Information Media and Telecommunications
Professional, Scientific and Technical Services

Q8. Publication of submission (select one)

Publish my submission online (your organisation or individual name will be identified along with your submission)

Q9. Would you like to complete the submission online or upload a document?

I would like to complete an online submission

Q10. Do you have a clear understanding of the definitions of a competent person for asbestos-related tasks? How could any misunderstandings be addressed or clarified?

Yes, we have a clear understanding of the current definition. Current misunderstanding will only be addressed with the use of new definitions which align with the common industry understanding of the term 'competent'.

Q11. Do you see a benefit in aligning the training, qualification and experience requirements of competent persons, licensed asbestos assessors and asbestos removal supervisors for asbestos-related tasks? If so, what do you think the training, qualification and experience requirements should be? Please provide information and reasons to support your response.

not answered

Q12. Are there any other issues regarding the definition and requirements of competent persons for asbestos-related tasks that should be considered? Please provide information and reasons to support your response.

The AMWU see the current definition of 'competent person' as deficient. We are of a view that this deficiency is what has created the confusion. The word competent is widely used within industry, to be considered competent elsewhere requires assessment. As a result we can't support timeframe/experience alone, or an unspecified training course developed by a PCBU (to which the current definitions allow) as being able to demonstrate competence, it requires appropriate and relevant qualification. The current definitions being, "A person who has acquired through training, qualification or experience the knowledge and skills to carry out the task" & "A person who has acquired through training, qualification or experience the knowledge and skills to carry out the task, and who has been trained in accordance with Regulation 445", as currently read, does not guarantee the delivery of competency (or a competent person). To avoid this problem and so as to ensure consistence across Australia we have concluded that there is a requirement to redefine 'competent person' as "A person that can demonstrate that they are technically competent to undertake an asbestos related task, through a combination of qualifications, practical experience and accreditation". With regards to Independent Competent Person & Independent Licensed Asbestos Assessor, as well as the above concerns, we don't support the current inclusion of "tertiary qualification in occupational health and safety, occupational hygiene, science, building, construction or environmental health" without a caveat that such tertiary qualifications in those areas must be inclusive of modules specific to any asbestos related tasks the person is required to undertake. We note that it is possible to complete all of these tertiary qualification without any modules relating to asbestos.

Q13. Is there any other additional feedback you would like to provide?

not answered

Q14. Please upload your submission document or any supporting information to your submission here (optional)

not answered

Q15. Terms and conditions

I have read and understand the Engage terms and conditions (<https://engage.swa.gov.au/terms>) for making this submission.