

Her Honour M Boland

Review Convenor

Safe Work Australia

Thank you for the opportunity to review the model WHS laws. My name is Robert Walker. I have worked in the electricity distribution industry in NSW for 31 years the final 17 of which was as a qualified OHSE specialist. I currently work for myself as a consultant in that discipline.

My concerns are in the area of asbestos management as prescribed by the Model WHS Regulation. In particular Part 8.5 Section 436 of the Work Health Safety Regulation 2017 which requires that health monitoring of workers consider “ records of the worker’s personal exposure”. I don’t recall any systems in the electricity industry that record when a worker works on an asbestos switchboard which is the primary area of risk. Indeed I don’t know of any sector of the building and construction industry that tracks exposure with the exception perhaps of licenced asbestos removalists.

Any employer that had a robust asbestos register and a formal methodology for issuing work instructions would be capable of tracking the exposure of individual workers if they wished. The main issue preventing tracking seems to be the chronic nature of presentation of bestowal related disease symptoms making it a low priority.

Part 8.3 of the Model WHS Regulation is fairly prescriptive about the keeping of asbestos registers, what information is stored and when it is reviewed etc. Yet Part 8.5 basically brushes over record keeping for workers. I would like to see the Regulation prescribe a register of asbestos exposure for workers with set review periods etc that workers and PCBU’s could have access to for their entire life.

While tracking can take place manually the technology to do so via smart phones is currently in place. The NSW Environment Protection Agency is successfully using a system called WasteLocate to track asbestos waste over 100kg or exceeding 10 square metres.

<https://www.epa.nsw.gov.au/your-environment/waste/transporting-asbestos-waste-tyres/tracking-asbestos-waste-locate>.

I see no reason why all asbestos waste along with the worker that generated the waste could not be tracked using this methodology. The part of the system that records the GPS location of the point of waste generation could also so facilitate a virtual national or state based asbestos register.

The technology is in place. NSW is tracking waste, there is no reason why the generator of the waste and therefore exposure could not be tracked.

Kindest regards   Robert Walker 13 April 2018