6 June 2025

Resources Safety & Health Queensland (RSHQ)

By email: psychosocial@rshq.qld.gov.au

Dear RSHQ,

The Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union known as the Australian Manufacturing Workers' Union (**the AMWU**) provides these submissions in response to RSHQ's April 2025 Discussion Paper - *Legislative options to clarify obligations to manage psychosocial hazards in Queensland's resources industry (***the April 2025 Discussion Paper***)*.

The AMWU is the mining and engineering maintenance trade union which represents thousands of workers in a variety of trade callings who work in our resources sector.

We confirm our support for the position reached following submissions received in response to RSHQ's 2023 Discussion Paper - *Clarifying obligations to manage psychosocial hazards in the Queensland resources industry* to further consider:

- The importance of addressing psychosocial risks in Queensland's resources industry
- By further clarifying obligations to manage the risks of psychosocial hazards through amendments to resources safety and health legislation.

The AMWU continues to receive reports from multiple members across the resources sector, particularly working in remote areas of coal mining, mines and minerals, of psychosocial hazards causing harm to both their psychological and physical heath. We refer to some de-identified examples in these submissions to demonstrate the prevalence and seriousness of these matters, and why legislative amendments are required to enforce that employers in the sector are adequately meeting their duties to manage the health and safety of their workforce, including through genuine and meaningful consultation with that workforce.

To that end, we welcome the opportunity to provide further input on the legislative options that have been put forward for consideration.

Response to Discussion Paper

The AMWU responds as follows to the questions in the April 2025 Discussion Paper:

Chapter 4: Protecting workers from psychological harm

Mines and quarries – Option 1

The AMWU supports amendments to the *Coal Mining Safety and Health Act 1999* (CMSHA) and *Mining and Quarrying Safety and Health Act 1999* (MQSHA) to provide a definition of 'health' to include both psychological health and physical health. We agree that it will be valuable in elevating workers' psychological health for better and consistent protection across the sector, at minimal cost to the regulator and operators who are already compliant, but potentially imposing costs on operators who fail to meet their duties to manage both.

Petroleum and gas – Options 1 or 2

The AMWU has no objection to either amendment proposed to Queensland's P&G legislation, albeit we view that an amendment as per Option 2 would more broadly and effectively address that obligations to protect the safety and health of workers in this sector include both physical and psychological heath.

Implementing no change as per Option 3 would fail to address the need for positive and active change, at the expense of workers' psychological health and wellbeing.

Chapter 5: Managing the risks of psychosocial hazards

The AMWU supports the proposal to amend safety and health regulations to include an explicit requirement of a safety and health management system / safety management system to manage psychosocial risks, including:

1) A definition of psychosocial hazards and psychosocial risks; and

2) A requirement on site senior executives / executive safety managers to consult with workers in developing systems to manage psychosocial risks.

With particular respect to (1), we support the option of adopting the definitions in the *Work Health and Safety Regulation 2011* (Qld) to be included in resources safety and health regulations, as subject to parliamentary drafting and tailored to align with the terms and processes of each relevant statute. However, we agree that the definition of psychosocial hazard should not require significant differentiation in the resources sector, being a hazard that arises from, or relates to:

- the design or management of work; or

- a work environment; or
- plant at the workplace: or
- workplace interactions or behaviours; and
- may cause psychological harms, whether or not the hazard may also cause physical harm.

The reports we have received from members speak of employers who not only have inadequate systems to manage psychosocial risks but appear to be dismissive of the notion that there are psychosocial risks and hazards that need to be managed. We provide the following examples of psychosocial hazards (adopting the same terms used for common psychosocial hazards in the 2022 Code of Practice under section 274 of *Queensland's Work Health and Safety Act 2011*) that have been reported to the AMWU by employees since 2024 of a particular large-scale employer providing coal testing and analysis services to mine operators in Queensland:

- High job demands;
- Poor support;
- Poor organisational change management;
- Poor organisational justice;
- Poor workplace relationships including interpersonal conflict;
- Violence and aggression;
- Bullying.

Example 1: In March 2025, following reduced staff levels it was reported that crew members were unable to take lunch breaks due to overwork, and additionally were subject to sudden changes to weighback procedures that now resulted in potential dismissal, or subject to harassment by supervisors if they were not inside before work commenced.

Example 2: Further reports in March 2025 of reduced numbers of crew members being expected to complete work usually done by bigger numbers in the same amount of time, and management refusing requests to alleviate the overwork by putting on more staff, resulting in employees experiencing fatigue, distress and physical injury, but feeling unable to go home

despite experiencing psychological and physical harm.

Example 3: employees being directed to attend disciplinary meetings without reasonable notice to arrange support persons or Union representation, disciplinary outcomes being decided without fulsome opportunity to respond to allegations or further investigation before , copies of disciplinary counselling not being provided to employees for transparency, no appeal or review processes available to dispute disciplinary outcomes lesser than termination.

Example 4: employees being rostered to work with other employees against whom they've made bullying reports, employees being subject to disciplinary or other unreasonable management action for needing to go home due to significant stress and anxiety that this causes, and either being directed by management to (a) return to work with the alleged bullies with no arrangements proposed to ensure the complainants' mental health and wellbeing, (b) given the option to resign, or (c) dismissed.

Chapter 6: Psychosocial risk controls

The AMWU supports either measures proposed in Options 2 and 3, on the basis that workers are genuinely and meaningfully consulted either when designing and implementing control measures or a hierarchy of controls to provide to workers the strongest levels of protection from exposure to psychosocial hazards in a structured framework.

Chapter 7: Reporting obligations

The AMWU considers that updating reporting obligations guidance material to inform and provide the utmost clarification to obligation holders on psychosocial reporting requirements as outlined in Option 1 is necessary, in addition to implementing either measure proposed in Option 2 (clarify within mining legislation and introduce in P&G legislation RHSQ CEO power to require statistical information relating to explore to psychosocial hazards) or Option 3 (amend legislation to require periodical reporting of exposure to traumatic events, bullying and harassment) to better enhance regulatory oversight and broader compliance in managing psychosocial risks effectively. In particular, the legislation applicable to mines and minerals is significantly behind and requires amendment to at least meet the standards that are applicable to coal mining legislation.

With respect to the option for no requirement to provide names of witnesses / persons present for high potential incidents involving psychosocial hazards under the CMSHA and MQSHA, the AMWU agrees in-principle that the protection of a person's anonymity and / or confidentiality

should be taken into account (particularly if they have indicated if that is their preference), and would support a requirement for consultation and consent to be obtained first. Reasonable and appropriate measures aimed to reduce concerns that prevent parties from coming forward to report incidents of psychosocial risks and hazards is encouraged.

Contact

If you wish to discuss this submission, please contact our Industrial Advocate, [redacted] at [redacted]

Yours sincerely,

[redacted]

Rohan Webb
State Secretary

Australian Manufacturing
Workers' Union
Registered as
AFMEPKIU
Queensland State Office
[redacted]