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Productivity Commission
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ACT

National Workers' Compensation and Occupational Health & Safety Frameworks

I have the following comment to make on the *Interim* Report of October 2003 and will welcome the opportunity to attend the public hearing on 3 December 2003 at Saville Park Suites, 84 Northbourne Avenue, Canberra.

It would be useful under *Occupational Health & Safety* to distinguish between and to provide an assessment of extent of and outcomes - including awards under workers compensation - and action being taken to in relation to these risks.

- **Avoidable risks** - specifically smoking in the workplace and the resultant injuries from environmental tobacco smoke, ETS, and other aspects of smoking. Smoking is, or should be illegal in the workplace. It has resulted in well publicised cases of workers compensation. In the ACT, despite a general ban on smoking in enclosed public buildings, exemptions are granted, on payment of a fee, to permit smoking restaurants and in licensed premises; smoking is permitted on stage during a performance.

There may be other avoidable risks which need attention - slippery floors, broken stairs, insecure hand rails.

- **External risks** - such as occur to outdoor workers which are not a direct result of their own procedures. Such risks are reduced by protective and brightly coloured clothing, signs 'danger men at work'.. 'slow workers ahead', fences, barriersFrom observation considerable progress is being made to protect outdoor workers.
- **Operational risks** - inherent in the activity - these can be reduced by training, supervision, protective clothing, modification of equipment and procedures.

Consistency between the various jurisdictions in relation to compensation and to safety is of obvious importance. A prime objective should be improvements to Occupational Health and Safety leading to a reduction in injuries and the resultant costs to the worker and to the system.

The analysis suggested above would provide guidance as to where reform is most needed, and an opportunity to benefit from experience in other jurisdictions..

In the case of **Avoidable risks** this would include a total prohibition on smoking in any place of work whether indoors or outdoors. Such a prohibition would have the support of the vast majority, and is achievable.

(signed)

Geraldine Spencer
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former editor *ASHES TO DUST*
member Non-Smokers Movement of Australia