From: Jacqui Collie[redacted]
Sent: Tue 04/04/2023 5:46:13 AM (UTC)
To: DE'ATH, Michael[redacted]
Subject: Correspondence
Attachment: Michael De'Ath correspondence 040423.pdf

Dear Director General

Please see attached correspondence regarding Triaging process.

CFMEU

Construction & General Division
QLD/NT Divisional Branch

Jacqui Collie

Governance, Political & Executive Officer

16 Campbell Street

Bowen HillsQLD4006

[redacted]

I acknowledge the traditional Aboriginal owners of country throughout Australia and pay my respect to them, their culture and their Elders past, present and future.

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4 April 2023

Michael De'Ath
Director-General
Department of Education

Email: [redacted]

Dear Director-General

RE: Triaging Process

We refer to the letter sent by you to the CFMEU on 17 March 2023. We are responding to you as the Building Trades Group as the proposed triaging process effects all of our members and construction workers generally.

Temporary Practices

As you would be aware, for approximately six years a process was in place whereby a union representative of a construction worker would contact the Director, Construction, Compliance and Field Services, who would appropriately action a Work Health and Safety Complaint.

As a Group, it is our position that it was not necessary to change this longstanding practice.

It is critical for the Senior Public Servants within the Office of Industrial Relations to cultivate relationships with industry stakeholders. At each stage you have made temporary changes, you have failed to consult with our Unions about the processes to be implemented.

We support the position that the CFMEU has adopted, being that union representatives call the Deputy Director-General directly to ensure that Work Health and Safety Complaints are appropriately actioned since the process was changed.

We reject any suggestion that this position will negatively impact the health and safety of construction workers as you, the Deputy Director-General, have the responsibility to ensure that these Work Health and Safety Complaints are dealt with.

You have previously suggested that inviting our Unions to meet with you satisfies your requirement to consult. This suggestion is rejected.

You are aware that it is our position that the longstanding practice be reintroduced and, if you wanted to discuss any challenges to implementing that practice, we are available to do so.

Triaging Process

It is evident that the Senior Public Servants at the Office of Industrial Relations are unable to comprehend matters of Health and Safety.

By directing Union Representatives to the 1300 Number, or the Assessment Service email, you are adding unnecessary bureaucracy to a process that should be simple and efficient. In doing so, you are directing Union Representatives to Public Servants who:

- have no understanding of, or experience in administrating, the *Work Health and Safety Act 2011* (Qld);
- have no, or insufficient, experience with the construction industry and the specific hazards that those workers face on a daily basis; and
- have no ability to respond to critical, life-threatening incidents.

These are, however, all responsibilities of the Senior Public Servants at the Office of Industrial Relations.

To make matters worse, you are only forcing the Unions to follow this process. We are aware that PCBUs and Subcontractors have direct access to Inspectors and are able to pick and choose the Inspectors that attend site to deal with issues raised by workers and the Unions.

Your Inappropriate Conduct

In addition to these matters, the Building Trades Group has been provided a copy of an email from you to the CFMEU's OHS Coordinator on 6 March 2023 and a letter sent to you by the CFMEU on 7 March 2023. We have been informed that you **have not** responded to this letter.

Not only is it extremely unprofessional but it is extremely disrespectful that you have not responded to this letter.

Under your leadership, the Office of Industrial Relations then implemented a process, without consultation, that restricted the access that representatives of construction workers had with Senior Public Servants.

With lower-level Public Servants having the responsibility of 'triaging' Work Health and Safety Complaints and with Inspectors having less accountability, incidents like the fall from height incident that occurred at CCR Albert St Lot 1 were bound to happen.

Rather than take responsibility, you sought to shift blame to the CFMEU asserting that by following the prior effective process in place with the Office of Industrial Relations the CFMEU was putting its members and all workers at risk.

As the Group, being the representatives of all construction workers in Queensland, it is safe for us to say that your comments are unfounded and baseless.

Each time that you implement a process without consultation you are the one putting construction workers at risk.

Each time that you fail to adequately deal with Work Health and Safety Complaints you are the one putting construction workers at risk.
We request that you adequately respond to the matters we have raised above.

Yours sincerely

[redacted]

Michael Ravbar
STATE SECRETARY