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**AUSTRALIAN CENTRE FOR INDUSTRIAL  
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(ACIRRT)**

***OCCUPATIONAL AND HEALTH COMMITTEES IN NSW:  
AN ANALYSIS OF THE AWIRS DATA***

***Brad Pragnell***

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This report reflects the views of the author and is not necessarily the position of the WorkCover Authority.

## EXECUTIVE SUMMARY

This report, prepared by the Australian Centre for Industrial Relations Research and Teaching (ACIRRT) for the WorkCover Authority of New South Wales, analyses the results of the Australian Workplace Industrial Relations Survey (AWIRS) with particular reference to data on occupational health and safety committees and other occupational health and safety policies and practices.

Section 1 provides information as to data used in this study and background information on the aims of this project, namely a comparison of OH&S policies and practices between the states; a comparison of OH&S policies and practices between various industries in New South Wales; the workplace characteristics of workplaces with OH&S committees; the relationship between workplace characteristics and active OH&S policies and practices in Australian workplaces.

Section 2 provides background information on public policy in New South Wales, and other states, concerning OH&S committees. This section concludes with the various perspectives on the role and efficiency of government policy in promoting "self-regulation" of OH&S and the debates over the relationship that OH&S has with the industrial relations dynamics of the workplace.

Section 3 provides detailed data on the scope of OH&S committees throughout the states and between industries in New South Wales. The data finds striking differences between industries, and to a lesser extent, states. The study found 45 per cent of workplaces with more than 20 workers in NSW had an OH&S committee. The industries most likely to have committees were blue collar and/or public sector workplaces. As well, 90 per cent of workplaces with OH&S committees had a single committee operating. Workplaces in South Australia were the most likely to have committees, while workplaces in Queensland and Tasmania were the least likely.

While most committees were properly constituted and met quarterly in accordance to regulations, 8 per cent of NSW committees had more managers than employee representatives and 18 per cent of committees met "irregularly" or "not at all". Committees operating seemingly in violation of the regulations were concentrated in white collar, private sector workplaces.

Section 4 examines other OH&S policies and practices and found similar patterns. Dramatic differences exist. Industries with pro-active policies and practices more likely to take place in blue collar and/or public sector workplaces. Similarly, workplaces in South Australia demonstrated a higher than average level of activity, while workplaces in Queensland and Tasmania generally displayed a lower level of activity.

Section 5 investigates the characteristics of workplaces with committees and those without committees. The characteristics which most strongly related to the existence of an OH&S committee were the size of the firm, the level of unionisation and nature of industrial relations activity. Generally, the larger the workplace, the more unionised it is and the more structured and active the industrial relations dynamics between union and employer, the more likely it was that an OH&S committee would exist.

Section 6 concludes that both public policy and workplace characteristics appear to have a relationship with pro-active OH&S policies and practices in the workplace, especially the existence of an OH&S committee. The relationship between industrial relations and OH&S dynamics mean that policymakers cannot ignore the "non-technical, social" side of OH&S decision-making at the workplace. Good policy will hopefully take into account such diversity across workplaces.

Lastly, the report recommends future, more qualitative research which will examine the role OH&S committees have in creating better workplaces as well as the impact public policy has on workplace OH&S policy and practice and the "social processes" of OH&S, especially the determinants of effective OH&S committee operation.

## **INTRODUCTION**

### **Aims Of The Project**

This project analyses the results of the Australian Workplace Industrial Relations Survey (AWIRS) with particular reference to data on occupational health and safety issues. Data from AWIRS provides a comprehensive, empirical snapshot of the coverage, composition and operation of occupational health and safety (OH&S) committees in New South Wales (NSW). The issues examined by using this data in this paper are;

- i) How active NSW workplaces have been in the area of OH&S policies and practices compared to workplaces in other states.
- ii) The level of activity on health and safety issues in different industries in NSW. Special attention has been given to the operation and functioning of OH&S committees.
- iii) The characteristics of workplaces where OH&S (OH&S) committees do and do not exist.
- iv) The relationship between workplace characteristics, industrial relations and OH&S committees, policies and practices.

The paper assesses the effectiveness of current arrangements for promoting OH&S committees in NSW workplaces and briefly considers the implications for the development of public policy on the issue.

Of primary concern in this report is the relationship between OH&S committees, OH&S activity in the workplace and the social dynamics of the workplace. It will be argued that social and industrial relations of a workplace have a significant relationship to the OH&S committees and OH&S policies and practices in the workplace.

### **The AWIRS and Workplace Occupational Health and Safety Practice**

The Australian Workplace Industrial Relations Survey (AWIRS) was the largest and most comprehensive survey of workplace industrial relations undertaken in Australia (Callus; et al, 1991). It was carried out by the Commonwealth Department of Industrial Relations between November 1989 and May 1990. Its main purpose was to provide comprehensive and reliable data on workplace industrial relations in Australian workplaces with 20 or more employees. The major survey involved 2004 workplaces throughout Australia, in all industries except Agriculture and Defence. Interviews were held with managers and,

where present, up to two union delegates. The survey covered a range of organisational and industrial relations matters. A specific section was devoted to OH&S that sought information about the presence of OH&S policies, specialist OH&S officers and OH&S committees. Information was obtained on the composition of the committees, the number of committees that operate at workplaces and the frequency of meetings. The exact wording of the questions asked in AWIRS on OH&S are located in Appendix 1. The responses to the question on the number of workers on compensation, the only real OH&S outcome measure, was not used, given the legitimate criticisms of using such data (Quinlan and Bohle 1991, 18-22).

The AWIRS sample included 672 workplaces in New South Wales with more than 20 employees. The minimum workplace size of 20 employees surveyed for AWIRS corresponds with the minimum number of employees which would normally be required to have a committee under NSW legislation, making AWIRS a useful survey in this policy area.

The objectives of AWIRS were twofold. First, it sought to collect information that would make it possible to draw a map of Australian workplace industrial relations. This involved collecting information on organisational structures, industrial relations processes and economic and industrial relations outcomes. The second objective was to collect information that would allow researchers to explore the links between structures and outcomes.

When using the AWIRS data it is important to remember that while it is based on a random sample of workplaces, this was stratified to ensure the survey findings could be desegregated by industry and workplace size. Large Australian workplaces needed to be "oversampled" to ensure it was possible to report with confidence on them. The oversampling of larger workplaces and particular industries means that it is possible to report on trends in workplaces of different sizes and all major industries. When reporting the actual findings, however, it is important to "weight" the survey results back to the original distribution of workplaces in the survey population. All the results reported in this survey are weighted and therefore representative of the situation that prevailed in Australian and NSW at the time the survey was conducted, namely late 1989 and early 1990 (Callus et al., 1991).

Before considering the survey findings on OH&S in NSW it is important to briefly consider the policy and legal context of the State's OH&S arrangements and practices.

## **OH&S COMMITTEES IN NSW: POLICY AND LEGISLATIVE CONTEXT**

### **Occupational Health and Safety Committees and Public Policy In Australia**

During the 1970's and 1980's, the issue of OH&S was a key policy matter throughout Australia. International developments in the area of OH&S policy, and increasing awareness and mobilisation around these issues domestically led to a series of policy initiatives throughout Australia. Of considerable influence was the Robens Report in the United Kingdom, which laid the groundwork for the UK 1975 *Safety and Health at Work Act* (Brooks, 1988b). One of the policy cornerstones recommended by the Robens Report was workplace "self-regulation" in the area of OH&S. Rather than directly regulating OH&S, Robens believed state policy should be increasingly directed at establishing workplace level mechanisms which would in turn monitor OH&S. Workplaces would normally only seek outside assistance in extreme circumstances (Great Britain 1972, 7).

The Robens Report shaped much of the Australian debate and the direction of Australian policy (Brooks 1988b, 348). All states passed OH&S legislation throughout the 1970's and 1980's, including NSW in 1983. Most of the states provide for both employee Health and Safety Representatives as the primary means of "self-regulation" and OH&S committees as supplementary means of "self-regulation". The NSW legislation, on the other hand, only provides for OH&S Committees in the workplace with no legislative mechanism for a Health and Safety Representative, a situation which has faced some criticism (Brooks 1987, 226).

OH&S Committees are workplace-based committees which advise, consult and act on health and safety issues at the workplace level. In all the states and territories (except for Tasmania), the respective OH&S legislation provides the mechanisms through which such committees are established. However in most the states, except NSW, committees work alongside the Health and Safety Representative. Though variety exists in their specific provisions, most jurisdictions further outline the function and composition of such committees.

In NSW, OH&S committees are the sole legislated mechanism for workplace level consultation regarding OH&S issues (Brooks, 1987). More than in any other jurisdiction, OH&S committees in NSW play an important role in ensuring self-regulation and focussing workplace activity on OH&S. While codes of practice and the employers' duty of care are also important policy interventions in ensuring safer workplaces in NSW, OH&S committees, their existence and their proper functioning remain important in maintaining effective workplace self-regulation of OH&S.

## **Occupational Health and Safety Committees In NSW: Legal Bases**

The NSW *Occupational Health and Safety Act, 1983* and the *Committees in Workplaces Regulation, 1984* provide the legal framework within which OH&S committees are established. Normally, an OH&S committee is to be established in a workplace of more than 20 employees when so requested by the employees, either through their union or persons otherwise selected by employees. As well, the WorkCover Authority of NSW has the power to direct that a committee be established in a workplace.

Unless formally requested or directed, there is no obligation for an employer to establish an OH&S committee. Workplaces with less than 20 employees would need to be directed by the WorkCover Authority to establish a committee. Similarly, workplaces not covered by the *Occupational Health and Safety Act, 1983* are not required to establish committees.

Further, it is not clearly stated how committees are to be distributed within a workplace; for instance, is there to be one committee for the entire workplace or are there to be separate committees for different departments or classifications? This issue appears to be left up to the parties to decide among themselves, with no formal mechanisms within legislation to resolve any such disputes (Brooks 1987, 229-30).

## **Occupational Health And Safety Committees In NSW; Their Size, Composition And Selection**

The NSW *Regulation* (1984) establishes the size and composition of the committee as well as making provisions for the selection of its members.

Normally, the maximum number of members on a committee is eight, unless the employer and employees mutually agree to a higher number. Another major requirement on committee composition in NSW is that there be an equal or greater number of employee representatives than employer representatives. This is to ensure that committees do not become management dominated.

Selection of committee members is also set out in the *Regulation*. Employer representatives are normally *appointed* by the employer and there is no restriction on who this can be, though normally it would be managers with responsibility for OH&S. Employee representatives, on the other hand, are *elected* at a meeting of all employees. The *Regulation* outlines that the election of employee representatives should take into consideration the variety of different occupations at a workplace, the composition of the workforce and the degree and character of hazards faced by various members of the workforce. These guidelines are intended to ensure employee representation is both representative of the entire workforce, yet also informed by the nature of the work.

The *Regulation* further places requirements regarding the frequency, scheduling and notification of meetings, as well as the posting of committee minutes. Regarding the frequency of meetings, the *Regulation* states that committees shall meet at least once every three months. Other regulations regarding committee operation, seeks to ensure an on-going and effective committee.

### **Occupational Health and Safety Committees In NSW: Their Powers, Functions and Importance In The Workplace**

Both the NSW *Occupational Health & Safety Act, 1983* and the NSW *Committees in Workplaces Regulation, 1984* outline the powers of OH&S committees. Broadly, the committees act in an advisory and consultative role at the workplace. Committees monitor OH&S policy and practice at the workplace, making recommendations and offering assistance to management in improving OH&S performance. Committees also provide a forum for employee concerns and do have the power to request that a WorkCover Inspector be called in to investigate matters of concern. Committees themselves, however, do not have the power to stop work or issue a binding order to resolve an issue. The committee's role is to advise and consult, not to control OH&S in the workplace.

Individually, committee members also have their powers outlined within the *Regulation*. Committee members have the power to carry out workplace inspections and to obtain information from management on OH&S matters. As well, committee members are to inform the committee and recommend actions regarding both issues of immediate concern and longer term policy issues. As with the committee itself, the individual committee member fulfils a primarily advisory and consultative role within the workplace.

The NSW *Occupational Health & Safety Act, Section 25(2)*, also notes that committee members are to be provided with training which will assist him/her in carrying out their functions. Currently, the WorkCover Authority is revising its training guidelines for OH&S committee members.

As the NSW legislation makes no requirement for OH&S representatives, the existence and proper functioning of OH&S committees is critical for the formation of pro-active OH&S policies and practices at the workplace. Within the ideals of self-regulation, committees are a critical mechanism at workplace level for the creation of safer and healthier workplaces in NSW.

## **Occupational Health and Safety and The Impact Of Government Policy**

The impact government policy has had on the policy and practice of OH&S in the workplace has been a matter of much debate. As noted above, one of the conclusions of the Robens Report was to move from "regulation" to "self-regulation" where employers and employees are more responsible for OH&S and less reliant on government intervention. OH&S committees were seen as a legislative means of facilitating self-regulation in the workplace.

Commentators such as Brooks (1988b) have been critical of Robens style legislation as being a *laissez faire* approach which does little to confront OH&S problems in the workplace. Brooks (1987) has also criticised NSW legislation as being largely ineffective. Quinlan and Bohle (1991, Chapter 10) also question the effectiveness of government intervention in generating effective OH&S activity at the workplace.

By looking at the state-by-state results of AWIRS, this report will assess to what extent public policy has been related to pro-active OH&S policy and practices within the workplace.

## **Occupational Health and Safety and Industrial Relations**

The relationship between OH&S and industrial relations processes in the workplace has been a matter of some debate among practitioners, academics and policymakers. (See Quinlan and Bohle 1991, Chapter 2 for a broad review of the different perspective's on OH&S.) Much of this debate revolves around the potential for conflict and/or compromise between employers and employees in the area of OH&S. Commentators from many perspective's agree that there is greater scope for co-operation on OH&S issues than other workplaces issues, as there is a greater "commonality of interest" between employers and employees. However, the participants in this debate disagree over the degree of potential divergence over OH&S issues between employees and employers and the role self-regulating mechanisms should play within that arena. All of this relates to the issue of the effect to which OH&S issues can be separated from other industrial relations issues that are negotiated between the parties.

Employer spokespersons have regularly stated that OH&S must remain separate and distinct from other industrial relations processes (Phillis, 1986). In their view, the strong commonality of interests on OH&S issues means that co-operation is the best approach for resolving such issues. From this perspective, committees are better suited than employee representatives in dealing with OH&S issues. For OH&S committees to function properly their operation must remain distinct from other industrial relations processes and the participants should leave their "confrontational attitudes" at the door (Phillis, 1986).

Throughout the recent past, trade unions have generally had a mixed view on OH&S committees, their function and their relationship with industrial relations dynamics. On the one hand, unionists partially agree that OH&S is different than other issues in that a greater commonality of interests does exist. On the other hand, unionists also claim that OH&S can not always be separated from industrial relations and that trade unions have a legitimate role in monitoring and participating in OH&S activity. Unions have also been less enamoured with committees, generally seeing them as, at best, bodies which assist health and safety representatives (Mathews 1993: Quinlan and Bohle 1991, Chapter 10).

Regardless of the desires of various practitioners either to separate or bring together industrial relations and OH&S, many industrial relations academics have argued that this is a moot point. Many commentators such as Willis (1989), Deutsch (1990) and Quinlan and Bohle (1991) have noted that given that OH&S is imbued in the workplace and the workplace experience of workers, it is fundamentally impossible to "separate" the two. These writers have all been critical of the fact that most OH&S practice and policy focuses on OH&S as merely about solving technical problems, rather than as a process (both social and technical) wrapped up in the broader social dynamics of the workplace.

One of the objectives of this paper will be to examine the relationship between OH&S activity (primarily in the existence and operation of committees) and industrial relation activity. If there is a relationship, then the critiques of industrial relations commentators must be given credence and the functioning of OH&S will have to be viewed in the context of the social processes of the workplace. This will then allow us to consider the policy implications and possible solutions for making both better committees and improving OH&S activity in NSW.

## **OH&S COMMITTEES: AN INTER-STATE AND INDUSTRY COMPARISON**

The following section investigates the level and nature of OH&S committee activity between the states and within industries in NSW. While the AWIRS data does provide us with a valuable snapshot of such activity, it does not provide a definitive evaluation of OH&S policy and practice. Similarly, other than what we can infer from the composition and frequency of meeting results, we cannot determine the quality of OH&S committee performance and their impact on OH&S practice in the workplace. To study such processes require other research methods, such as case studies.

The data does provide, however, some useful indications of where OH&S committees are located, their structure and their basic functioning.

The results on OH&S committees have been studied in two ways in this section. First, we will investigate the national picture by looking at the results found nation-wide and within the individual states. This will allow us to place the performance of NSW workplaces in a broader context.

To gain a further insight into the NSW figures, we will be examining those figures on an industry-by-industry basis. This will allow us to grasp the industry specific differences which contribute to the overall level of OH&S committee activity in the state. When looking at NSW industry-specific results, all of the industries used in the AWIRS data (which follow the Australian Standard Industry Classification) will be used except for Transport and Storage, due to both a small sample size and difficulties in combining it with a related industry in a meaningful way. "Mining and Construction" have been grouped together into a single industry while Electricity, Gas & Water and Communications will be combined under the title "Utilities".

In looking at the data, broad groupings will occasionally be referred to. The Public Sector Industries refers to the set of industries of Public Administration and Utilities while Private Sector Industries are Mining and Construction, Manufacturing, Wholesale and Retail Trade, Financial and Business Services and Recreational and Personal Services. As well, Blue Collar Industries will refer to Mining and Construction, Manufacturing and Utilities, while Wholesale and Retail Trade, Financial and Business Services, Public Administration, Community Services and Recreation and Personal Services will be referred to collectively as White Collar Industries.

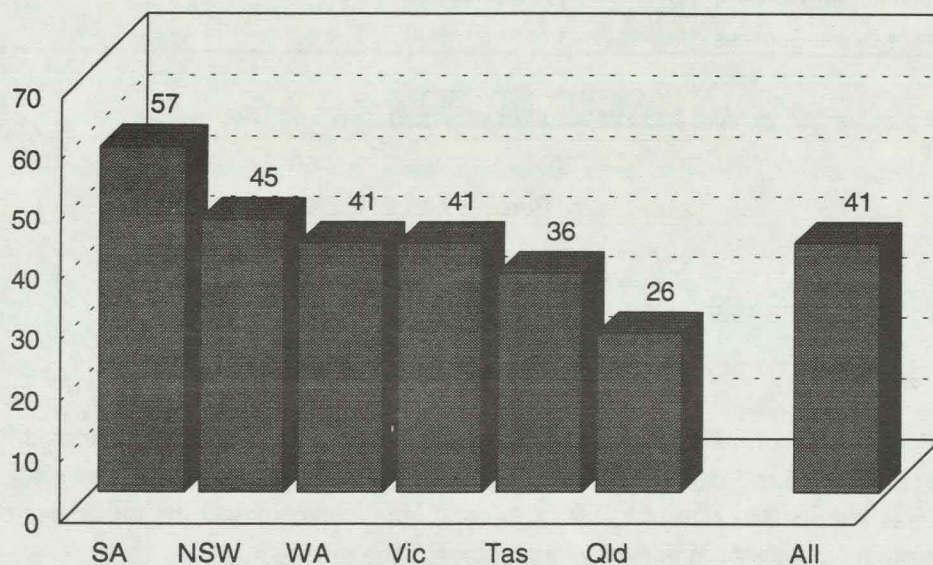
It should be noted that there are certain industry peculiarities that may make industry comparisons difficult. First of all OH&S in Mining, especially for underground workers, is covered by the *Mining Regulation Act*. Similarly, any figures for Construction must be viewed within the context of the recent difficulties in the industry, many which have been cited in investigations such as the *Gyles Report*.

### **Percentage Of Workplaces With OH&S Committees**

Normally, the establishment of a committee in NSW is done through a request by employees, either on their own initiative or through their trade union. In other states, OH&S committees operate to assist the Health and Safety Representative. The establishment of committees in these states is also provided for in legislation. In Victoria, Queensland and Western Australia a committee must be established if so requested by the Health and Safety Representative. In South Australia a committee must be established either through a request made by the Health and Safety Representative or the employees themselves.

In investigating the AWIRS data it would appear that there are some significant differences in terms of the percentage of workplaces with more than 20 employees that have OH&S committees. South Australia had a significantly higher percentage of workplaces with committees, with 57 per cent of workplaces reporting the existence of a committee. Queensland, at the other extreme, only showed 26 per cent of workplaces having a committee. The other states, including NSW with 45 per cent of workplaces having committees, was close to the national average of 41 per cent.

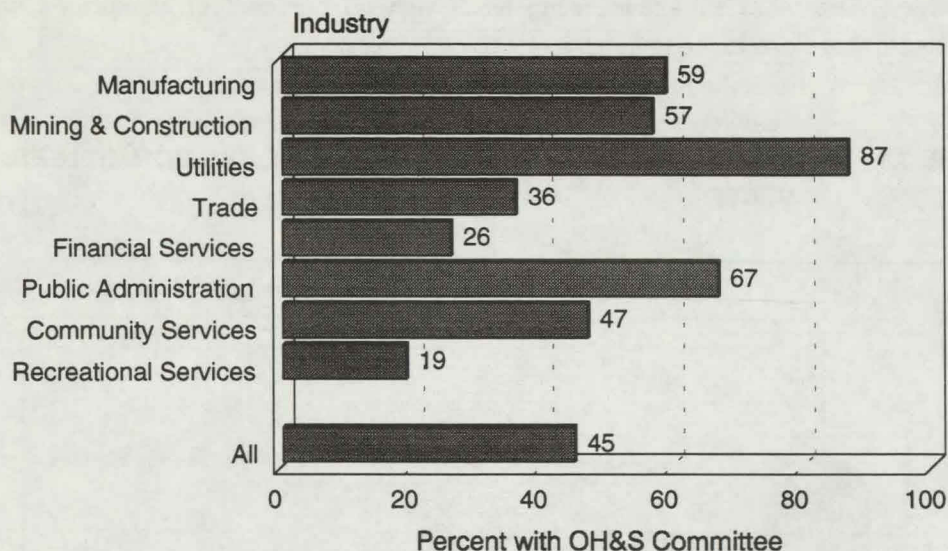
**FIGURE 3.1**      **PERCENTAGE OF WORKPLACES WITH OH&S COMMITTEES, BY STATE**



Population: Australian workplaces with at least 20 employees.  
 Based on responses from 2002 workplaces.  
 Source: AWIRS 1989-1990.

When NSW is examined on an industry basis, important, yet not surprising variations between industries are found.

**FIGURE 3.2 PERCENTAGE OF NSW WORKPLACES WITH AN OH&S COMMITTEE, BY INDUSTRY**



Population: NSW workplaces with at least 20 employees.

Figures are weighted and are based on responses from 672 workplaces.

Source: AWIRS 1989 - 1990

From Figure 3.2, a series of conclusions about the location of OH&S committees in NSW can be made. First, workplaces in blue collar Industries are more likely to have committees than white collar Industries. Second, that workplaces in the public sector are more likely to have OH&S committees than those in the private sector.

The *laissez faire* approach of self-regulation assumes that OH&S committees will "naturally develop" in "high risk" industries (Quinlan and Bohle 1991, 217) . This however does not necessarily appear to be the case. It would be difficult to argue, for instance, that OH&S committees are somehow less necessary in Manufacturing than Public Administration.

The industry which is both blue collar and in the public sector, Utilities, was by far the most likely to have workplaces with OH&S committees. Workplaces in industries that are both white collar and in the private sector, namely Wholesale and Retail Trade, Financial and Business Services and Recreational and Personal Services were the least likely to have these committees.

## **Existence Of Multiple Committees In Workplaces**

In the jurisdictions, including NSW, there exists no specific formula on the number of committees that should operate within a workplace. It would be expected, though, in large workplaces with a diverse workforce multiple committees would exist to meet the various OH&S needs.

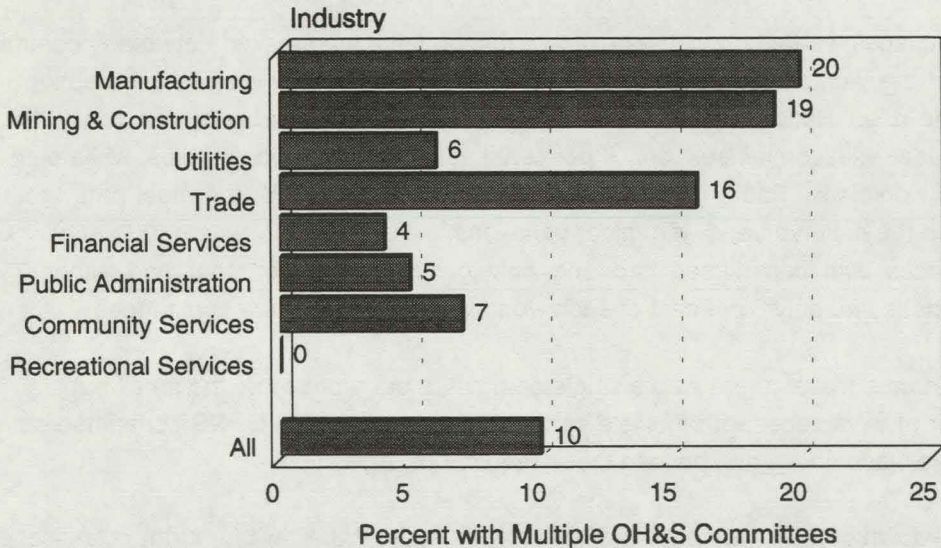
At workplaces where committees existed, respondents were asked how many committees were at the workplace. Workplaces with multiple committees were the exception rather than the rule. Nation-wide, 87 per cent of the workplaces had only one committee. Of workplaces with committees, only 9 per cent had either 2 or 3 committees, while only 4 per cent of workplaces had 4 or more committees in operation. For the most part, the states followed the national trend with minor variations, including NSW where 90 per cent of the workplaces with committees had one only committee, 7 per cent had either 2 or 3 committees and only 3 per cent of such workplaces had 4 or more committees.

While in most cases there was a single committee per workplace, the small but significant number of workplaces with multiple committees point to some OH&S committee activities that take place above and beyond those required by legislation.

A breakdown of NSW workplaces by industry in Figure 3.3 allows for further clarification.

While it would appear that blue collar Industries were generally more likely to have multiple committees in the workplace, it also appears that multiple committees were more likely in private sector, rather than public sector workplaces. It is possible that industries such as Manufacturing, Mining and Construction and Wholesale and Retail Trade are more likely to have workplaces with a diverse workforce (i.e. office staff and production staff having separate committees).

**FIGURE 3.3 PERCENTAGE OF NSW WORKPLACES WITH OH&S COMMITTEES WHICH HAVE MULTIPLE COMMITTEES BY INDUSTRY**



Population: NSW workplaces with at least 20 employees and an OH&S committee.  
 Figures are weighted and are based on responses from 389 workplaces.  
 Source: AWIRS 1989 - 1990

### Composition Of OH&S Committees

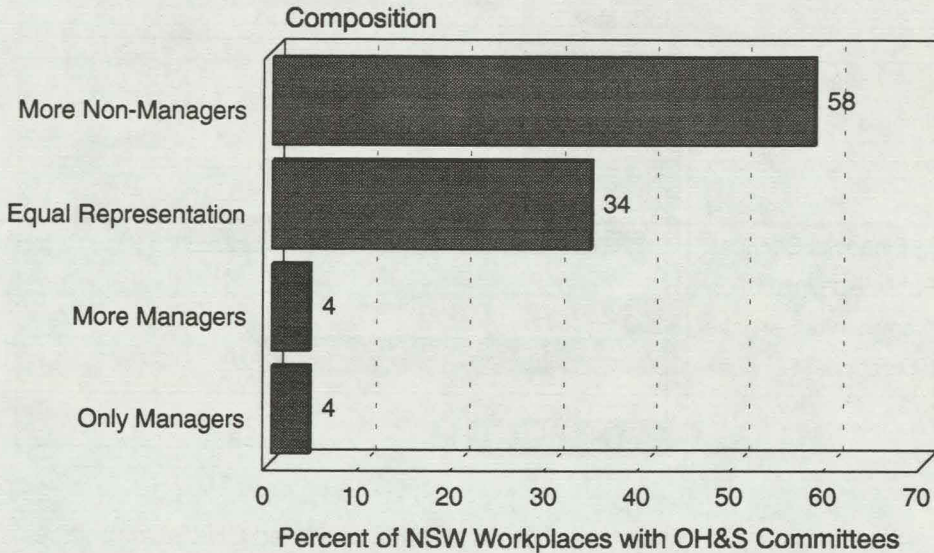
Legislation in NSW, Victoria, South Australia and Western Australia require that at least one half of the members of the committee be employee representatives. Queensland has no such requirement.

Results from AWIRS indicate that committees across Australia generally have greater or equal employee representation. In total 94 per cent of committees had equal or better representation by employees. Even in Queensland, the vast majority of committees appear to have equal or better representation for employees.

Surprisingly, in the states where there is a legislative requirement regarding equal or greater employee representation, there is a small but significant number of committees which are management-dominated.

When looking at the AWIRS data regarding committee composition, it would appear that most committees operate within the requirements of the *Regulation* in NSW for committees to have at least equal or better employee representation.

**FIGURE 3.4 COMPOSITION OF NSW OH&S COMMITTEES, FROM WORKPLACES WITH OH&S COMMITTEES**



Population: NSW workplaces with at least 20 employees and an OH&S committee. Figures are weighted and are based on responses from 389 workplaces. Source: AWIRS 1989 - 1990

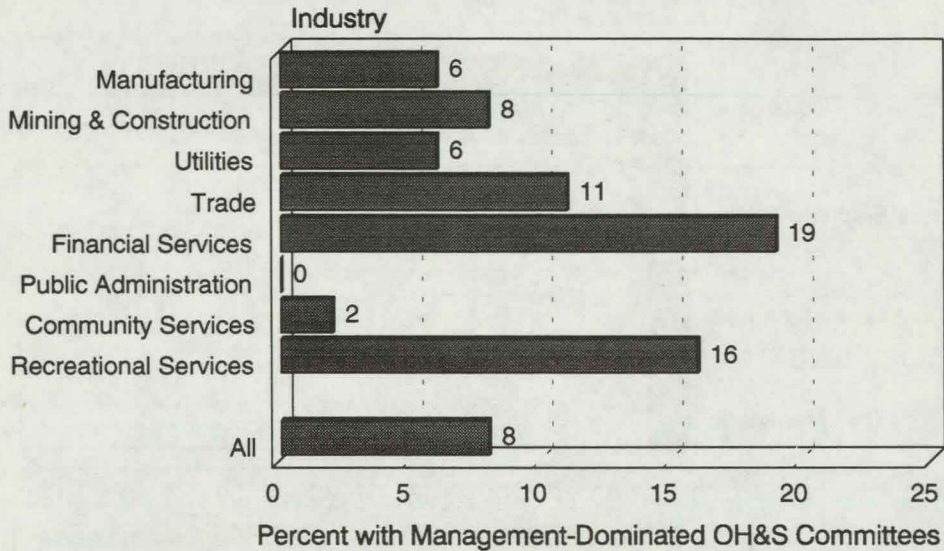
However, 8 per cent of all workplaces with committees in NSW reported the committee being management-dominated. By breaking down the NSW results by industry, we get a better idea of where these management dominated committees exist.

Once again the table below indicates, Blue Collar and/or Public Sector industries, as well as Community Services, are the least likely to have management-dominated committees. Public Administration actually had no reports of management-dominated committees.

The private sector, white collar industries showed a high level of workplaces with committees which would appear in breach of NSW regulations. Financial and Business Services, once again demonstrated the highest proportion of committees in contravention of the regulation, with nearly one-fifth of the workplaces with committees reporting that the committee had a higher proportion of management than employee members.

A further analysis of the composition of committees was done according to the number of employees and the unionised density of the workplace, factors which relate strongly with

**FIGURE 3.5 PERCENTAGE OF NSW WORKPLACES WITH OH&S COMMITTEES THAT HAVE "MANAGEMENT-DOMINATED" COMMITTEES, BY INDUSTRY**



Population: NSW workplaces with at least 20 employees and an OH&S committee. Figures are weighted and are based on responses from 389 workplaces. Source: AWIRS 1989 - 1990

the existence of an OH&S committee. Surprisingly, neither appear to be related to the presence of management-dominated committee. In other words, a management

-dominated committee is just as likely to appear in lowly unionised workplaces as a highly unionised ones. As well, it is just as likely to appear in a large workplace as it is at a small one. This reinforces an interpretation that industry-specific characteristics other than workplace size or level of unionisation somehow impact on the make-up of OH&S committees.

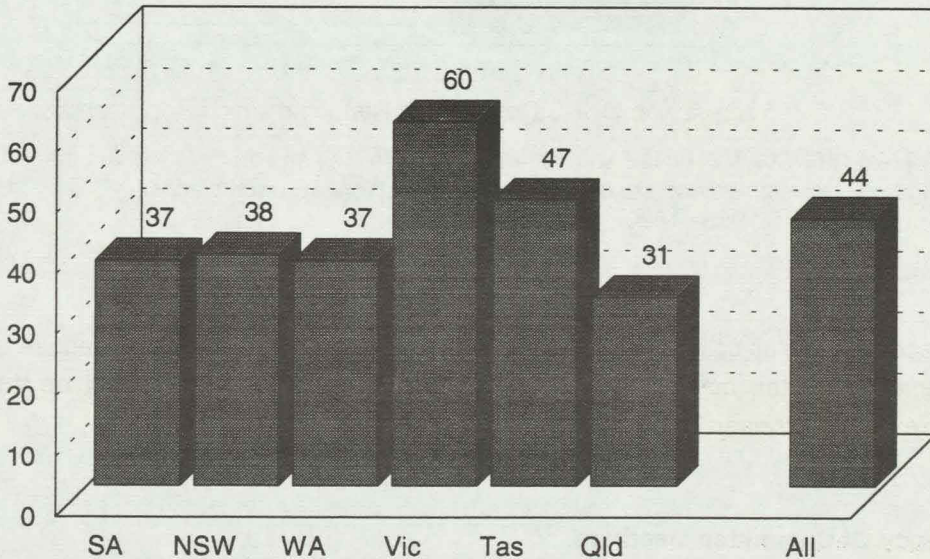
#### **Requirement For Union Representation On The Committee**

The other area dealing with committee membership investigated by AWIRS was whether or not union representation was required on the OH&S committee.

With the exception of Victoria, there exist few legal requirements that an OH&S committee have a union member as an employee representative. In NSW, there is no requirement that any employee representatives be union members.

While few legal obligation exists, there does appear to be certain organisationally determined or negotiated requirements that at least some of the employee representatives on the OH&S committees are union members. Nation-wide, 44 per cent of the workplaces with OH&S committees managers indicated there was a requirement that some employee representatives on the committee be union members. Given its legislative requirement, it is not surprising Victoria demonstrated the highest level of required union membership with 60 per cent of workplaces with committees responding positively. NSW was slightly below the national average with 38 per cent responding that some employee representative members on the committee must be union members.

**FIGURE 3.6 PERCENTAGE OF WORKPLACES WITH COMMITTEES WHERE THERE IS A REQUIREMENT THAT SOME OF THE EMPLOYEE REPRESENTATIVES ARE UNION MEMBERS, BY STATE**

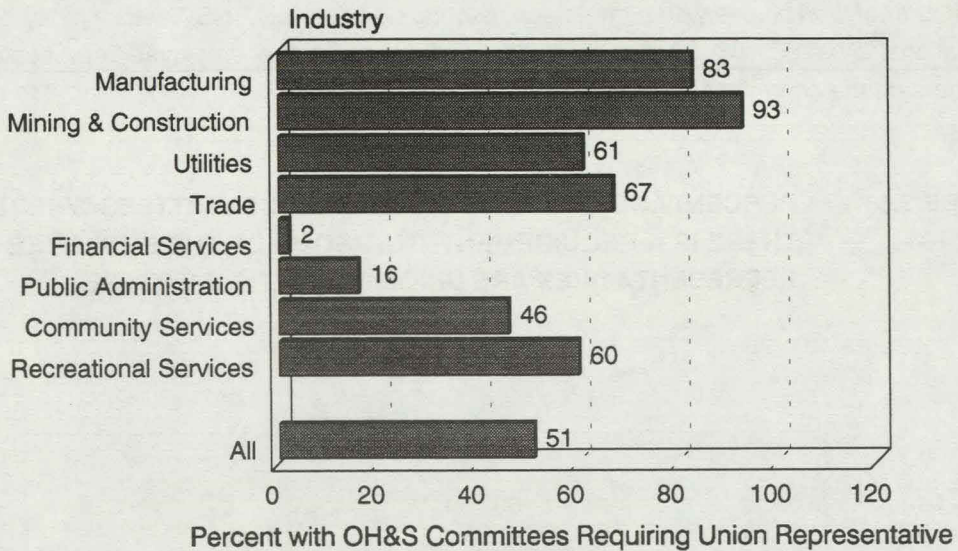


Population: Australian workplaces with at least 20 employees.  
 Based on responses from 2002 workplaces.  
 Source: AWIRS 1989-1990.

It would appear that informal or formal agreements operate at the workplace level which to some degree require union membership as a condition for employee participation on an

OH&S committee. To this extent, some unions are apparently involving themselves in workplace level OH&S to some degree.

**FIGURE 3.7 PERCENTAGE OF NSW WORKPLACES WITH OH&S COMMITTEES THAT REQUIRE A UNION REPRESENTATIVE, BY INDUSTRY**



Population: NSW workplaces with at least 20 employees and an OH&S committee. Figures are weighted and are based on responses from 389 workplaces. Source: AWIRS 1989 - 1990

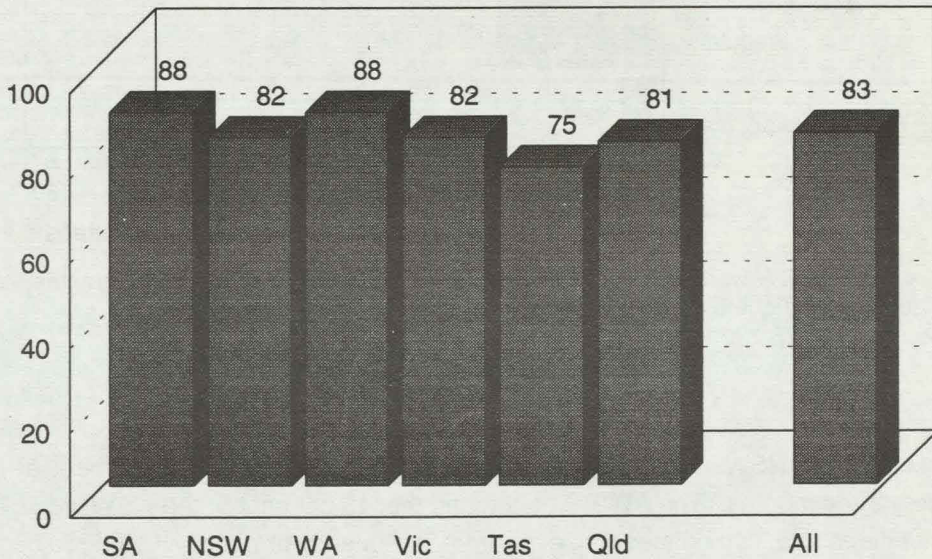
Workplaces in the blue collar, private sector industries were the most likely to require union representation on the committee. Financial and Business Services noted an almost negligible level of required union involvement.

### Frequency Of Committee Meetings

Within NSW committees meet at least every three months. It has been noted that at least some regularity of meetings is necessary to allow for effective and on-going consultation by the committee (Phillis 1986, 6).

AWIRS asked managers how often the OH&S committee met in the previous year with the possible responses being "More than once a month", "At least Monthly", "At least Quarterly", "Infrequently" or "Not at All". While the majority of committees across the nation appear to have met at least quarterly, there does appear to be a sizeable portion that either met infrequently or not at all.

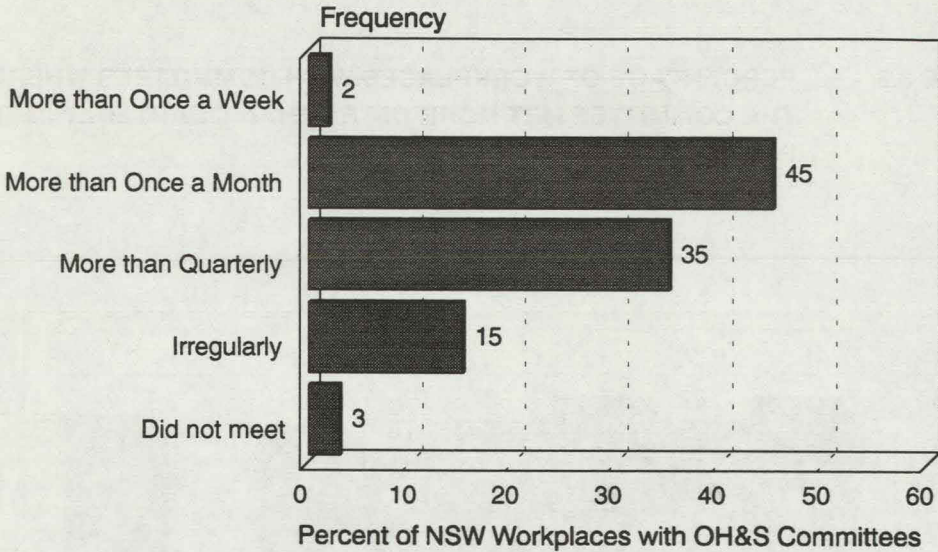
**FIGURE 3.8 PERCENTAGE OF WORKPLACES WITH COMMITTEES WHERE THE COMMITTEE MET MORE OFTEN THAN QUARTERLY IN THE PAST YEAR, BY STATE**



Population: Australian workplaces with at least 20 employees.  
 Based on responses from 2002 workplaces.  
 Source: AWIRS 1989-1990.

In looking more closely at how often committees in NSW met, it would appear that the majority of them met between once a month and once quarterly, well within the regulated requirements.

**FIGURE 3.9 FREQUENCY OF NSW OH&S COMMITTEE MEETINGS OVER THE PAST YEAR, FROM WORKPLACES WITH OH&S COMMITTEES**

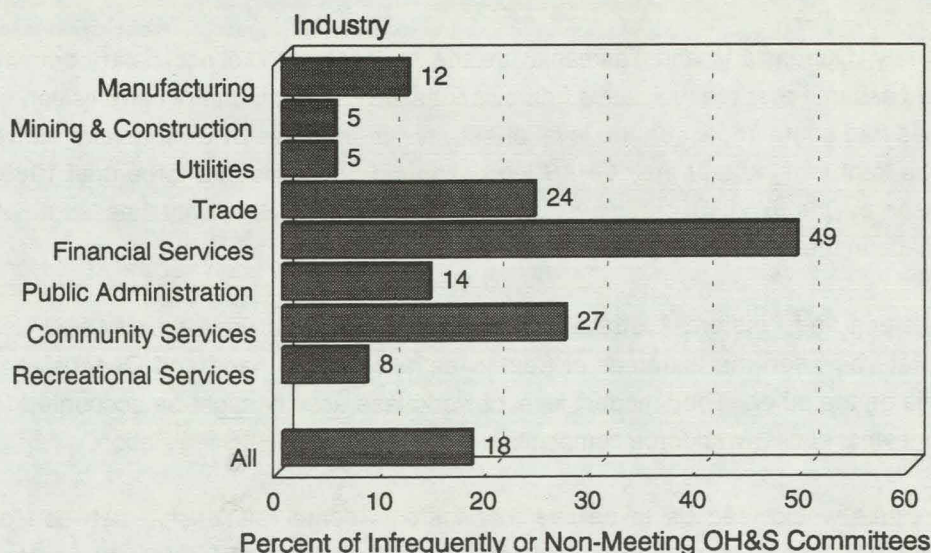


Population: NSW workplaces with at least 20 employees and an OH&S committee. Figures are weighted and are based on responses from 389 workplaces. Source: AWIRS 1989 - 1990

As mentioned, the NSW *Regulation* states that OH&S committees are to meet at least once every three months. The AWIRS data found that 18 per cent of the NSW workplaces with committees had committees that either met infrequently or not at all. In breaking this down by industry we develop a better picture of where the poorly operating committees exist.

Industries that are either blue collar or in the public sector (or both) as well as, interestingly, Recreational and Personal Services, are the most likely to have committees that operate on at least a quarterly basis. On the other hand, white collar, private sector industries each show a sizeable portion of committees which apparently operated less than is required by regulation. Committees in Financial and Business Service workplaces appear to be the worst, where nearly one-half of the workplaces with committees reported that their committee(s) met either infrequently or not at all! This data, however, should not detract from the fact that the vast majority of committees in NSW did meet as often as is required by law.

**FIGURE 3.10 PERCENTAGE OF NSW WORKPLACES WITH COMMITTEES, WHERE THE COMMITTEE MET "INFREQUENTLY" OR "NOT AT ALL", BY INDUSTRY**



Population: NSW workplaces with at least 20 employees and an OH&S committee.  
 Figures are weighted and are based on responses from 472 workplaces.  
 Source: AWIRS 1989 - 1990

A similar analysis of factors which were related to management-dominated committees, namely level of unionisation and the size of the workplace, were done. A much stronger relationship with the frequency that committees met was found, namely committees that were in small workplaces with low levels of union density were more likely to meet infrequently or not at all.

### Summary

These results demonstrate wide variations in the existence and performance of OH&S committees between various states and industries.

Workplaces in South Australia are more likely to have OH&S committees than most other states. Of course, this is not to say that South Australia workplaces are "safer". As mentioned before, this data does not evaluate the quality of OH&S committee performance in improving workplace OH&S.

We would assume that the South Australia legislation, which allows committees to be established by either the health and safety representative or the employees, has promoted the extension of OH&S committees throughout that state. Similarly, OH&S committees in South Australian workplaces appear to be operating properly, allaying concerns that legislation which strongly promotes committees would be more likely to generate "unwanted" or poorly functioning committees.

Alternatively, Queensland and Tasmania are the states least likely to have committees. We would assume that the legislative framework as well as the industry composition of the State, has had some impact on the level of activity. In the case of Queensland, however, it must be kept in mind that their OH&S legislation did not come into force until 1989, the same year as the AWIRS. It may be the case that OH&S activity has improved in Queensland in the interim.

NSW, Victoria and Western Australia have similar levels of activity around OH&S issues that operate between the extremes of South Australia on one hand and Queensland and Tasmania on the other. Their modest level of workplace activity might be accounted for by both somewhat similar workforce composition and pro-active OH&S legislation.

These results would lead us to believe that there is some relationship between public policy and the establishment of OH&S committees in the workplace. This would potentially contradict claims of the ineffectiveness of policy initiatives in this area.

Committees appear to be relatively well established throughout NSW. While other indicators point to relatively good health and safety practices in NSW workplaces, it does appear that committees are slightly more management dominated and meet less frequently in NSW than in most other states.

To look at the various industries, it would appear definite trends also occur. For example, blue collar and/or public sector industries almost consistently rate higher than the private sector, white collar Industries, in terms of OH&S activity. Even within the more active industries, certain important differences occur. For our purposes the most noteworthy difference is occurrence of OH&S committees. Below is the occurrence of OH&S committees in selected industries;

**TABLE 1**

Utilities	87 per cent
Public Admin	67 per cent
Manufacturing	59 per cent

Without even calculating the aggregates for private sector and public sector, it appears that Public Sector workplaces, even in a "less dangerous" industry such as Public Administration are more likely to have committees than even the more "dangerous" workplaces in the private sector. This leads us to question any line of argument that committees will naturally occur in more "dangerous" industries.

Two possible explanations could exist. First, workplaces in the public sector tend to be larger, therefore the possibility exists that committees are more likely to appear in larger workplaces (Callus et al 1989). The other issue, obviously, is that of ownership, where the dynamics, structures or policies of public sector workplaces are different in such a way as to better facilitate committees. Whichever explanation is stronger, it is possible that both have some influence on the existence of a committee. Regardless, it is quite apparent that non-technological factors such as private/public ownership and size of the workplace are potential determinants on the existence of OH&S committees. This should lead credence to the proposition that the social, political and industrial factors are also related to the existence and operation of OH&S committees.

As noted, Manufacturing is an industry which consistently accounts for relatively high compensation rates. Quinlan and Bohle note that nearly one-third of compensated workplace injuries involving five or more days in Australia take place in Manufacturing (Quinlan and Bohle 1991, 30). That OH&S committees are located in only just over one-half of the workplaces with over 20 employees in NSW in these industries should be of concern. Further, it should lead us to at least consider the voluntaristic underpinning of "self-regulation" which underlay current NSW policy. The mediocre level of committee penetration in Manufacturing would lead us to believe that action around OH&S issues might possibly take place in other, possibly, less co-operative and less structured forums. Lastly, the least active workplaces in the area of OH&S are the private sector, white collar industries of Wholesale and Retail Trade, Financial and Business Services and Recreational and Personal Services. Committees exist in under half of the workplaces and quite often where they do exist, they are either management-dominated or rarely meet. In the past, this would have been considered of little consequence since these were once regarded relatively "safe" industries. Yet, issues such as Repetitive Strain Injury, "Sick building" syndrome, Video Display Terminals and so forth, have led us to reconsider the "safety" of such workplaces over the past decade. The non-existence and poor operation of committees in these industries have policy implications which need to be considered as well.

Overall there does appear to be important differences between the committee penetration of industries, many of which cannot merely be explained away by the relative "safety" of the industry. It would appear that other, "non-technical" factors also related to industry impact on the existence of an OH&S committee. This will be investigated in more depth in Section 5.

## **OH&S POLICIES AND PRACTICES; AN INTERSTATE AND INDUSTRY-BY-INDUSTRY COMPARISON**

While OH&S committees were one of the main areas that AWIRS probed, managers were also asked a series of other questions related to OH&S. These questions were designed to gauge both the level of worker/union involvement in OH&S at the workplace, as well as to monitor employer policies and practices in OH&S.

By presenting these figures we will hopefully gain a deeper understanding of differing OH&S policies and practices between the states and between industries in NSW.

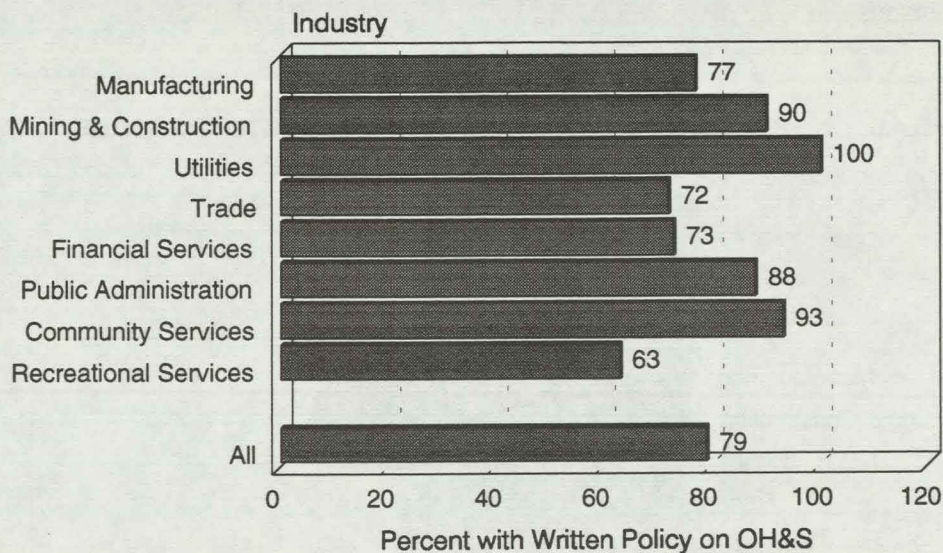
### **Written Policy On OH&S**

One of the questions asked in AWIRS was whether the workplace had a written policy on OH&S. While written policies do not necessarily relate to a *de facto* safer workplace, it does point to a certain degree of activity and commitment in the area of OH&S, where the time and effort has been taken in developing a written policy. The existence of a written policy would also make it easier for managers, employees, representatives and committees to know the employer's position on OH&S, thus clarifying and focussing debate and discussion (Quinlan and Bohle 1991, 401).

Across Australia, 71 per cent of workplaces reported that they did have a written policy on OH&S. In comparing the states, a similar level of workplaces with written policies appears to occur. The only significant exception is that of South Australia, where 82 per cent of workplaces reported that they had a written policy on OH&S. This higher reading is probably due to South Australia being the only state which requires employers, by law, to have a written OH&S policy (Brooks 1988a, 572-3).

NSW recorded a slightly higher than average percentage of workplaces with written OH&S policies, namely 79 per cent compared to the national average of 71 per cent. Our breakdown on an industry-by-industry basis points to certain variations. Not surprisingly, public sector and blue collar industries have a notably higher incidence of written OH&S policies. Community Services had ranked quite well in this area with 93 per cent of those workplaces having a written policy. Once again the white collar, private sector scored below average with more than one-third of Recreational and Personal Service workplaces having no written policy.

**FIGURE 4.1 PERCENTAGE OF NSW WORKPLACES WITH A WRITTEN OH&S POLICY, BY INDUSTRY**



Population: NSW workplaces with at least 20 employees.

Figures are weighted and are based on responses from 672 workplaces.

Source: AWIRS 1989 - 1990

### Person Responsible For OH&S In The Workplace

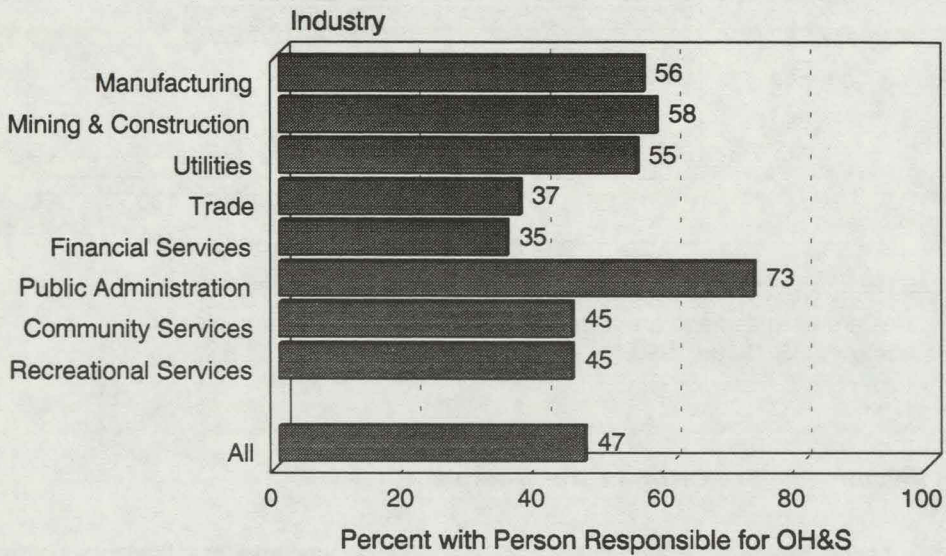
Another question asked to gauge workplace OH&S policies and practices was whether there were persons specifically responsible for developing and administering an OH&S program. It was not asked whether these people were managers, employees or some combination. However, the existence of such persons responsible should indicate a level of OH&S activity.

When asked whether there was a person responsible for OH&S development in the workplace, 42 per cent of Australian workplaces responded that there was. Workplaces in NSW, where 47 per cent responded positively, Victoria, South Australia and Western Australia all reported positively to the question at a level close to the national average. However, only 32 per cent of the workplaces in Queensland and 25 per cent of the workplace in Tasmania reported having persons specifically responsible for OH&S.

When managers were asked whether this person or persons spent the majority of their time on OH&S matters, 20 per cent of the workplaces nation-wide responded positively.

When looked at on an industry-by-industry basis in NSW, it would appear that once again public sector and/or blue collar industries were the most likely to have this form of OH&S activity. Interestingly, in Public Administration nearly three-quarters of the workplaces had a person responsible for OH&S. At the other extreme only slightly over one-third of all workplace in Wholesale & Retail Trade and Financial & Business Services recorded having such persons.

**FIGURE 4.2 PERCENTAGE OF NSW WORKPLACES WITH PERSONS RESPONSIBLE FOR OH&S, BY INDUSTRY**



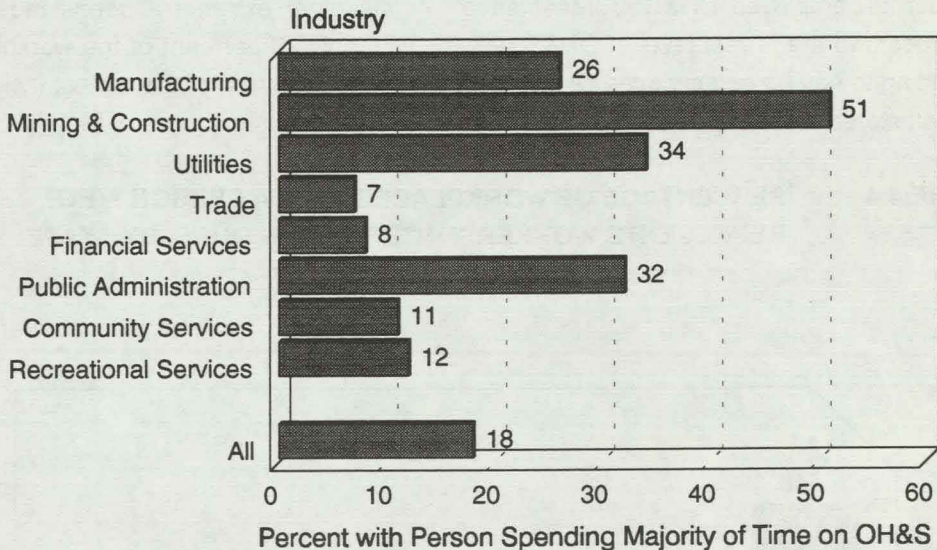
Population: NSW workplaces with at least 20 employees.

Figures are weighted and are based on responses from 672 workplaces.

Source: AWIRS 1989 - 1990

When we investigate the NSW workplaces where persons responsible spent a majority of their time on OH&S issues, we gain an even more dramatic picture of the different levels of workplace OH&S activities.

**FIGURE 4.3 PERCENTAGE OF NSW WORKPLACES WHERE THE PERSONS RESPONSIBLE SPEND THE MAJORITY OF THEIR TIME ON OH&S, BY INDUSTRY**



Population: NSW workplaces with at least 20 employees.

Figures are weighted and are based on responses from 672 workplaces.

Source: AWIRS 1989 - 1990

As we see in Figure 4.3, dramatic differences exist between the industries in NSW. In Wholesale & Retail Trade and Financial & Business Services, less than 10 per cent of workplaces had persons who spent the majority of their time on OH&S. On one hand this is interesting however, one would be concerned if a bank branch with 20 employees had a person who spent the majority of their time on OH&S! Not surprisingly, slightly over half of the workplaces in Mining and Construction had persons with such responsibilities spending the majority of their time on OH&S.

### **Employee Representatives For OH&S**

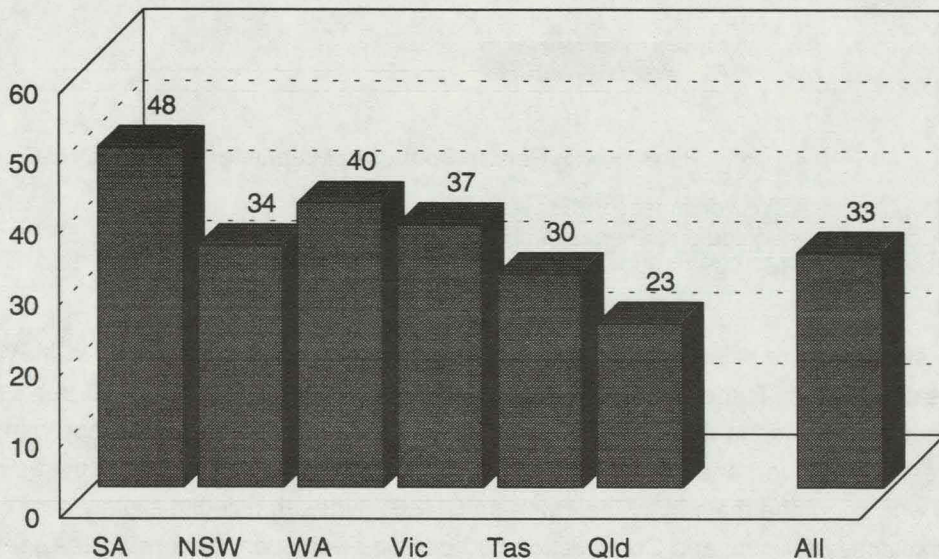
The role of the Health and Safety Representative has been discussed throughout this report. As has been noted, the representative operates in most states (except NSW) as a key mechanism for self-regulation.

In AWIRS, respondents were asked if there was an employee who represents workers' interests in the area of OH&S. While the legislatively-mandated representative may be

dealing with employee interests in the area of OH&S, other people might also be filling that role on a more informal basis.

Workplaces in South Australia, which also registered the highest level of workplaces with committees, were also the most likely to have workplaces with someone looking after worker's OH&S interests. In that state, 48 per cent of the workplaces responded that they had such an employee OH&S representative. At the other extreme, Queensland once again recorded the lowest level of OH&S activity, with only 23 per cent of the workplaces responding to having an employee OH&S representative. The rest of the states, including NSW, clustered around the national average of 33 per cent.

**FIGURE 4.4 PERCENTAGE OF WORKPLACES WITH A PERSON WHO REPRESENTS WORKERS' INTERESTS IN OH&S, BY STATE**



Population: Australian workplaces with at least 20 employees.  
 Based on responses from 2002 workplaces.  
 Source: AWIRS 1989-1990.

One interesting point about this result is that NSW workplaces, located in the only jurisdiction without a legislative provision for a Health and Safety Representative, were just as likely to have a person who looked after workers' OH&S interests as workplaces in other jurisdictions.

Unfortunately, there were too few responses to provide an accurate breakdown of NSW workplaces according to industry. For the responses that do exist and are statistically

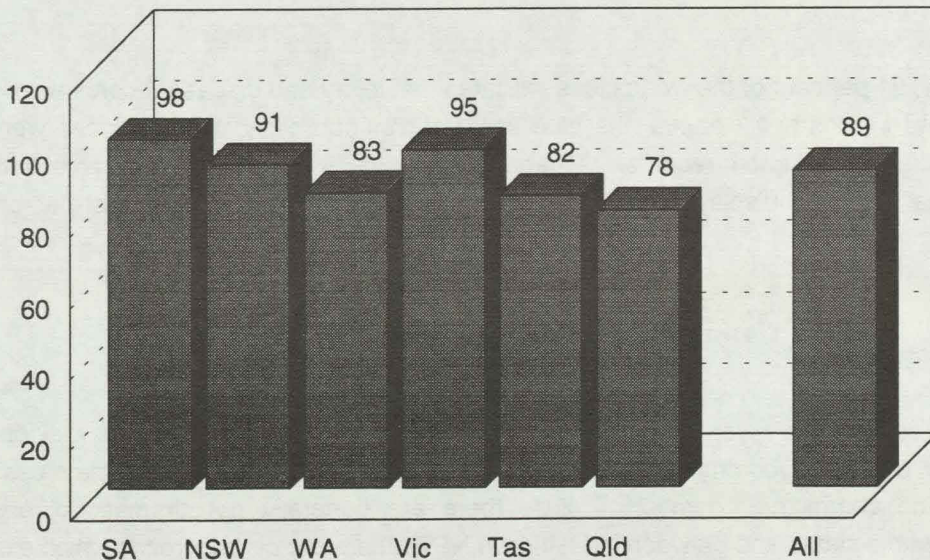
significant, there appears to be few noticeable differences between the industries in NSW in terms of whether there is a person who looks after workers' OH&S interests.

### Injury Records

As Quinlan and Bohle (1991) note, "the efficiency of workplace committees, and health and safety management in general, depends very heavily on the collection of information regarding current conditions and practices within the organisation" (Quinlan and Bohle 1991, 388). While injury and disease records are often required for compensation reasons, they are also the start of any good workplace health and safety database.

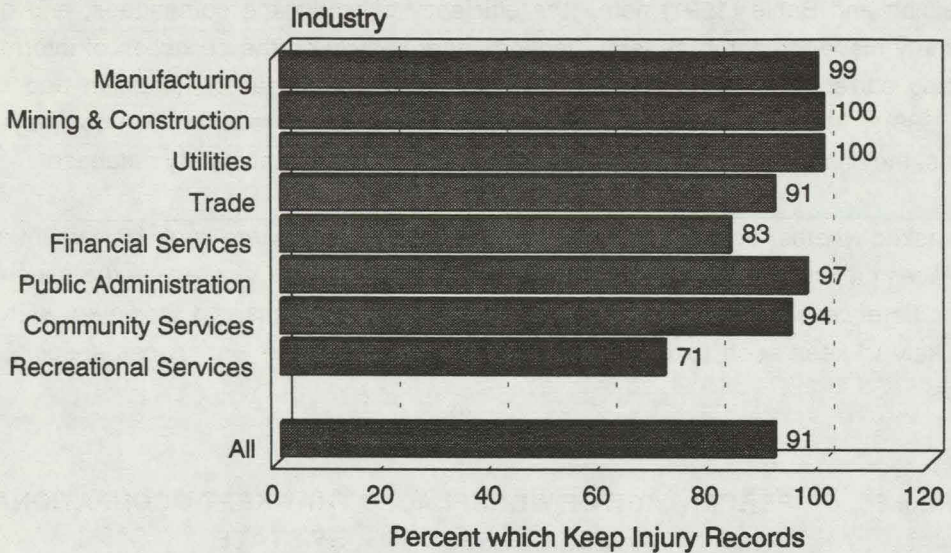
When asked whether occupational injury and disease records were kept, 89 percent of the workplaces nationally responded that such records were kept. Once again, there were few major differences between the states. Workplaces in Queensland, however, were the least likely to keep such records with only 78 per cent of the workplaces keeping such records.

**FIGURE 4.5** PERCENTAGE OF WORKPLACES THAT KEPT OCCUPATIONAL INJURY AND DISEASE RECORDS, BY STATE



Population: Australian workplaces with at least 20 employees.  
Based on responses from 2002 workplaces.  
Source: AWIRS 1989-1990.

**FIGURE 4.6 PERCENTAGE OF NSW WORKPLACES WHICH KEEP OCCUPATIONAL INJURY AND DISEASE RECORDS, BY INDUSTRY**



Population: NSW workplaces with at least 20 employees.

Figures are weighted and are based on responses from 672 workplaces.

Source: AWIRS 1989 - 1990

In NSW, 91 per cent of the workplaces indicated that injury and disease records were kept. As noted in Figure 4.6 above, the blue collar and/or public sector workplaces were the most likely keep such records. Financial & Business Services and Recreational & Personal Services display a well below average level of OH&S-related activity on this issue.

### Summary

These issues have given a brief snapshot of OH&S policies and practices that operate outside of OH&S committees, but whose existence in the workplace may assist in improving committee operation. While there are generally not dramatic differences between the states and between industries in NSW, there are certain trends which exist.

First, this data appears to reinforce our earlier findings about a higher level of workplace OH&S-related activity in South Australia. It would appear that policy initiatives such as a

requirement for a written policy has some relationship with increased levels of OH&S-related policies and practices in South Australian workplaces. Whether this translates into safer workplaces is, however, another matter.

Second, our industry findings on committees are further confirmed when we look at other OH&S-related policies and practices. Not surprisingly, Blue Collar and Public Sector workplaces displayed a greater likelihood to have a person responsible for OH&S, to have a worker representative, to keep injury records and to have a written OH&S policy. Similarly, white collar, private sector workplaces were less likely to have any of these policies and practices.

Third, given both the state and industry results, that there would appear to be a relation between the existence of a properly constituted OH&S committee and other OH&S policies and practices in the workplace.

## **THE DISTRIBUTION OF OH&S COMMITTEES IN NSW;**

In investigating the location of OH&S committees, cross-tabulations were done with selected AWIRS data to gather a more focussed perspective on where committees actually existed in NSW. While these cross-tabulations suggest some relations similar to those found in the industry-based analysis done above, namely that committees are more likely to occur in blue-collar and public sector workplaces, some of the findings in this section suggest that other relationships exist.

Given the industrial relations focus of AWIRS, some data looks at industrial relations activities and performance. Interestingly, increasing levels of union and industrial relations activity seem to be closely tied to increasing levels of OH&S activity, including the greater likelihood of an OH&S committee. The data below indicates that industrial relations activity in the workplace appears very closely linked with OH&S activity, forcing us to further reconsider notions that such activity is solely generated by the relative "safety/danger" of the work involved.

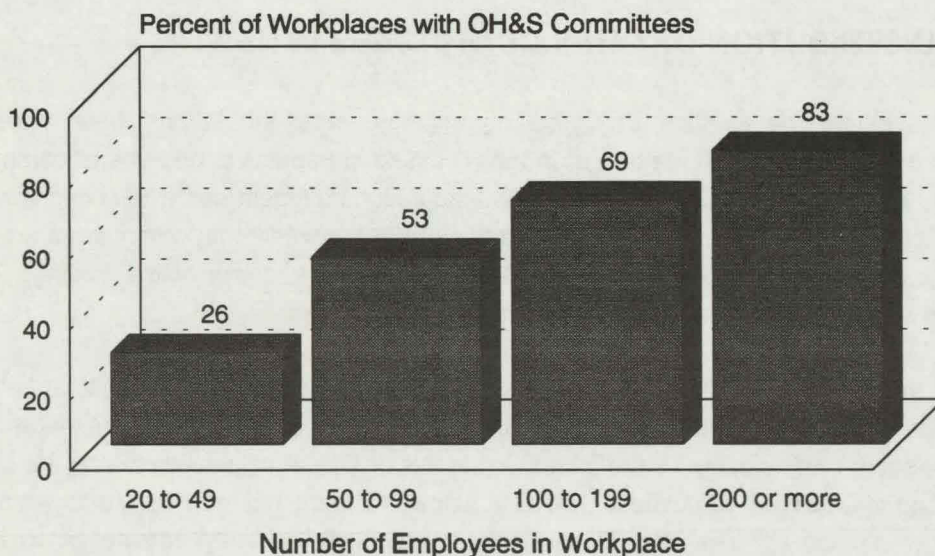
### **Workplace Demographics**

As noted in Figure 5.1 below, a strong relationship appears to exist between the size of a workplace and the existence of a OH&S committee. Workplaces with over 50 employees were more likely than those under 50 to have committees. For workplaces with more than 50 employees, the larger the workforce, the more likely for a committee to exist.

Workplaces with committees were more likely to exist in organisations that employed between 500-4999 in Australia and to have between 6-10 sites in Australia.

The typical workplace without an OH&S committee was, interestingly, more likely to be part of an organisation that had over 100 workplaces in Australia. As well, the workplace without a committee was more likely to be part of either a small organisation (less than 100 employees in Australia) or a very large employer (more than 20000 employees in Australia).

**FIGURE 5.1 PERCENTAGE OF NSW WORKPLACES WITH COMMITTEES BY NUMBER OF EMPLOYEES IN THE WORKPLACE**



Population: NSW workplaces with at least 20 employees.

Figures are weighted and are based on responses from 672 workplaces.

Source: AWIRS 1989 - 1990

### Workforce Characteristics

Workplaces with a committee generally had an older workforce, i.e; the larger the percentage of employees over 50 the greater the likelihood of a committee. The larger the percentage of the workforce that was under the age of 20, the less likely a committee was to exist.

Generally workplaces with committees had more full-time and less part-time employees and were also less likely to use casual staff.

Interestingly though, the prevalence of a larger percentage of either female or Non-English Speaking Background (NESB) employees appear to have little relationship with the existence of an OH&S committee.

This would lead us to conclude that workforce demographics do have a relationship with the existence of a committee as expected. However, the AWIRS data would lead us to conclude that factors such as the age of the workforce, the distribution of full-time / part-time / casual workers all have a relationship with the existence of an OH&S committee. This might allow for some consideration of where education concerning OH&S committees might be directed. However, it is interesting to note that ethnic background and sex of the workforce appear to have little relationship with the existence of a committee, meaning that either workplaces with large female or NESB workforces are just as likely to have a committee as workplaces with male and/or ESB workforces.

### **Management Structures and Policies**

Workplaces with committees generally had decentralised managerial decision-making. Senior workplace managers however did have significant input into decisions that were made and non-senior workplace managers did have some input into decision making. On the other hand, workplaces without committees more often than not had more centralised managerial decision-making with the Australian head office making important decisions.

Workplaces with committees were also more likely to have more extensive forms of workplace communication than workplaces without committees. For instance workplaces with committees were more likely to have a workplace newsletter and to have workplace meetings between supervisors and employees.

Interestingly, it would also appear that workplaces with OH&S committees were more likely to be active in the area of Equal Employment Opportunity (EEO), for instance having a written policy on EEO and a person responsible for EEO in the workplace.

### **Union Organisation and Involvement**

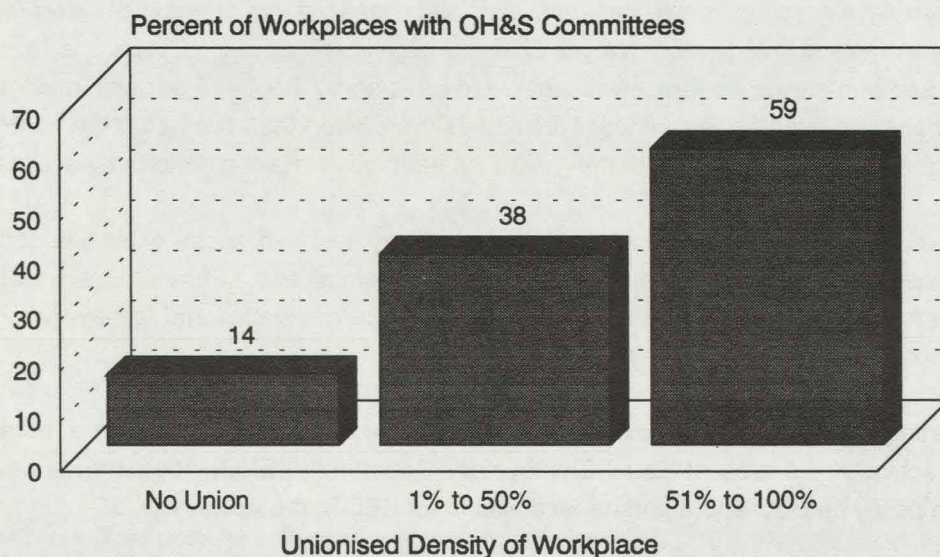
Workplaces with committees were more likely to be unionised. Along with workplace size, the level of unionisation within a workplace appears to also have a very strong relationship with the existence of an OH&S committee, with a higher level of unionisation coinciding

with the greater likelihood of a committee. Interestingly, workplaces with committees were less likely to be closed shops.

Workplaces with committees were also more likely to have experienced industrial action. Workplaces with committees were more likely to have experienced some form of industrial action in the past; either in the form of a strike, go slow, overtime ban or picketing. This would further suggest higher levels of union activity in workplaces with OH&S committees.

While more likely to be the site of industrial action, workplaces with committees were also more likely to have some form of workplace bargaining and were likely to have employer-union agreements on a wide range of topics, including workplace agreements (or provisions thereof) on OH&S.

**FIGURE 5.2**      **LIKELIHOOD OF NSW WORKPLACES TO HAVE AN OH&S COMMITTEE, ACCORDING TO UNION DENSITY OF THE WORKPLACE**

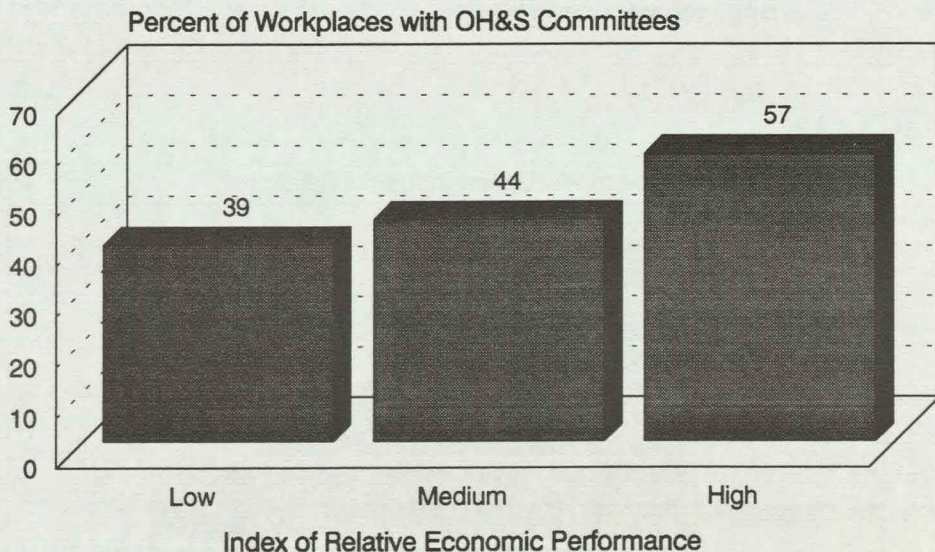


Population: NSW workplaces with at least 20 employees.  
 Figures are weighted and are based on responses from 672 workplaces.  
 Source: AWIRS 1989 - 1990

## Outcome Measures

Interestingly, workplaces with committees were also slightly more likely to occur in workplaces which scored "high" in terms of the AWIRS "Index of Relative Economic Performance". This index was a collection of economic indicators such as rate of return and profitability, which attempted to broadly capture the economic performance of the workplace. This should not be interpreted as meaning that OH&S committees are somehow responsible for good economic performance. It does, however, note that well performing workplaces are more likely to have committees and OH&S committees do not appear to have any negative impact on a workplaces performance.

**FIGURE 5.3**      **LIKELIHOOD OF NSW WORKPLACES TO HAVE AN OH&S COMMITTEE, ACCORDING TO ECONOMIC PERFORMANCE OF THE WORKPLACE**



Population: NSW workplaces with at least 20 employees.

Figures are weighted and are based on responses from 672 workplaces.

Source: AWIRS 1989 - 1990

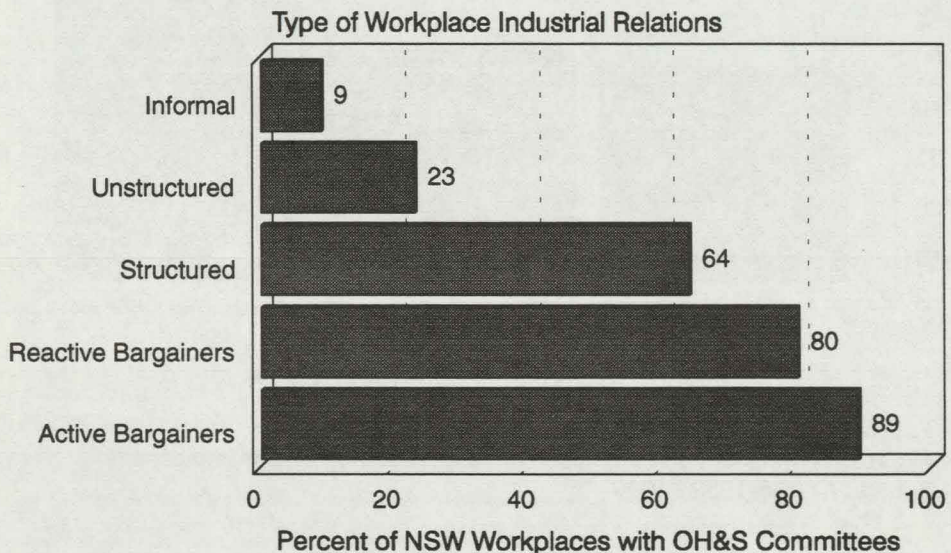
One of the major conclusions of AWIRS was that the Australian workplaces fall into five broad "workplace industrial relations categories". The five types were inactive, unstructured inactive, structured inactive, reactive bargainers and active bargainers, all of

which basically measured how structured and how active industrial relations were in the workplace (Callus et al 1991, pp 145-80).

As noted in Figure 5.4, a very strong relationship exists between the existence of a committee and the type of workplace industrial relations that occurs. The more structured and active a workplace's industrial relations were, the more likely there was for an OH&S committee to exist. The differences are quite dramatic, with only 9 per cent of the "informal" workplaces, those without a union and no industrial relations structures, having committees. On the other hand, 89 per cent of the "active bargainers", those workplaces with the highest levels of workplace industrial relations activity, had OH&S committees.

These results would strongly confirm a relationship between workplace industrial relations activity, especially workplace industrial relations structures, and the existence of an OH&S committee.

**FIGURE 5.4**      **PERCENTAGE OF NSW WORKPLACES WITH OH&S COMMITTEES, ACCORDING TO "WORKPLACE INDUSTRIAL RELATIONS ACTIVITY"**



Population: NSW workplaces with at least 20 employees and an OH&S committee.  
 Figures are weighted and are based on responses from 672 workplaces.  
 Source: AWIRS 1989 - 1990

## **The Existence Of OH&S Committees and Other OH&S Policies and Practices**

It appears quite dramatically that the existence of an OH&S committee coincides with other OH&S activities. Workplaces with committees were more likely to have a written policy on OH&S, to keep injury records and to have a person who was responsible for OH&S in the workplace.

However, workplaces with committees were also more likely to have a higher percentage of their workforce on compensation.

This would lead us to conclude that OH&S committees are, as we would suspect, related to other OH&S activity. This is in line with some of the research on OH&S committees, which see their effective operation interrelated with overall levels of OH&S activity (Phipps 1986, p 4). Whether OH&S committees generate higher levels of OH&S activity or both committees and other OH&S practices are generated by some other set of factors (such as management commitment, union activity or government policy) would need to be the subject of further research.

### **Summary**

Workplaces with and those without OH&S committees appear to be very different types of workplaces. The workplace with a committee is normally larger and in the public sector. It might be engaged in manual work, but as noted in Section 3, there is not as strong a relationship here as would be expected. The workplace with a committee has a more stable, higher-paid and older workforce, yet workplaces with a sizeable percentage of women or NESB workers are just as likely to have a committee, all other factors being equal.

Workplaces with committees are more likely to have managers who have autonomy, responsibility and decision-making power; the "tightly controlled" manager who acts on decisions made elsewhere is more likely to occur in the workplace without a committee. As well, the workplace with a committee is more likely to have more avenues of workplace communication, such as newsletters and regular staff meetings, and to be more active in areas such as EEO. We could conclude that the existence of an OH&S committee in such workplaces is merely another expression of activity and communication or else possibly that OH&S committees actually assist in creating a more "active" workplace.

Workplaces with committees are also significantly more active in other areas of OH&S. This would lead us to conclude that a relationship between OH&S activity and committees does exist. However, these workplaces are also more likely to have a larger percentage of their workforce off on compensation. As has been mentioned, the relationship between

OH&S committee operation, active OH&S policies and procedures and safer workplaces is complex and cannot be discerned in a survey such as AWIRS. However, more qualitative research, for instance using detailed case studies of specific workplaces, could better delineate these interrelations.

Other than industry, a workplace's size and level of unionisation appear to be closely related to the existence of an OH&S committee. Interestingly, one of the strongest relationships occurs in looking at the type of industrial relations in the workplace and the existence of an OH&S committee. It would appear that the more active and structured workplace industrial relations are, the more likely that a committee exists. The very strong relationship between workplace industrial relations and OH&S committees have certain implications for our understanding of the dynamics of OH&S committees and policy.

## CONCLUSION

State-by-State, it would appear that public policy is related to the level of OH&S activity in the workplace. South Australian workplaces had the highest level of OH&S activity, including the highest proportion of workplaces with OH&S committees. Queensland and Tasmania had the lowest level of OH&S activity including the lowest proportion of committees. Interestingly, Victorian and NSW workplaces showed similar levels of OH&S activity, even though they rely primarily on different self-regulatory mechanisms, representatives in the former and committees in the latter.

Public policy initiatives, such as requirements for written policies and the ease with which OH&S committees are established, would seem to have made an impact on some OH&S policies and practices within the workplace. As mentioned earlier, whether all this translates into healthier and safer workplaces is a matter outside of this report.

Looking at New South Wales, OH&S committees are well established in many industries, with 45 per cent of the workplaces with more than 20 employees reporting having an OH&S committee. Yet there are problems, namely;

- significant differences between different industries in terms of number of committees and their level of activity.
- significantly fewer committees in workplaces with between 20 and 50 employees.
- significantly fewer committees in private sector as opposed to public sector workplaces.
- committees in white collar, private sector workplaces, where they did exist, were more likely to be management-dominated and meet either infrequently or not at all.

However it does appear that OH&S committees coincide, at least within industries, with workplaces that have other pro-active OH&S policies and practices.

While a workplace's size, industry and level of unionisation all appear to have a reasonably strong relationship with the existence of an OH&S committee, there also appears to be a strong relationship with the scale and type of industrial relations activity in the workplace. The more active and structured bargaining was within the workplace on industrial relations generally, the more likely we were to find an OH&S committee.

The high level of activity in white collar, public sector workplaces would further lend support to the conclusion that dynamics other than merely the relative "danger" of work generates OH&S activity.

There appears to be some relationship between OH&S activity and industrial relations activity, as this data would suggest. If this is the case, then this should lead us to consider the social processes of OH&S, including committees, as has been mentioned in the literature (Willis, 1989). If OH&S committees, their existence and proper functioning is inextricably intertwined within industrial relations dynamics of the workplace, then OH&S committees are more than merely technical bodies operating outside of such dynamics. As mentioned earlier, it may be a moot point to "separate" industrial relations and OH&S. As Willis (1989), Deutsch (1990) and Quinlan and Bohle (1991) have argued, the two are fundamentally wrapped up in each other and the broader dynamics of the workplace.

Such a conclusion does not however, delegitimise OH&S as an area for potential co-operation or take away from the fact that committees remain valuable forums in facilitating such co-operation. Indeed the results which note OH&S committees generally operating in workplaces with more pro-active OH&S policies and procedures would lead us to conclude that committees have possibly played some role in increasing the level of awareness and activity around OH&S.

Further, such relationships would lead us to question the voluntaristic underpinning's of OH&S committee establishment in NSW legislation. If the existence of a committee is so heavily dependent on the characteristics and industrial relations dynamics of the workplace, all of which may not be related to the relative safety of the workplace, does this not cause a "disequilibrium" in our policy. The idea is to have committees established where they are needed, yet are not certain workplaces denied committees because of their innate characteristics (i.e. size, industry, sector, level of unionisation) conspire to make a committee less likely?

Possibly less voluntaristic arrangements, for instance mandatory committees as is the case in Canada, might be considered to overcome the lack of penetration of committees further into NSW workplaces, where they are needed to deal with such issues. As

mentioned earlier, without OH&S committees there is the possibility that OH&S issues may be taken up in less co-operative and less formal arenas within the workplace.

More detailed research will be needed to unravel the ways in which the social dynamics of the workplace interact with OH&S committees, and the ways in which OH&S committees facilitate better OH&S policies and practices in the workplace. Such research will hopefully allow consideration for improvements in public policy for the provision of better OH&S committees. Such changes will hopefully produce even safer and healthier workplaces throughout NSW.

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## APPENDIX 1

### Questions from the Australian Workplace Industrial Relations Survey (AWIRS) that were used in this analysis;

From the *Employee Relations Manager Survey*;

EG1. Does this organisation have a written policy dealing with occupational health and safety which covers this workplace?  
(Possible responses YES or NO)

EG2 Are there any people employed at this workplace who are specifically responsible for developing and administering an occupational health and safety program?  
(Possible responses YES or NO)

EG3 Do any of these people spend the majority of their time on occupational health and safety?  
(Possible responses YES or NO)

EG7 Are there any specialist occupational health and safety committees operating at this workplace?  
(Possible responses YES or NO)

EG8 (Follow-up a YES response in EG7) How many are there?

EG9 (Statement re: Committee questions EG10, EG11 and EG12)  
I would now like to ask you some questions about the committee that deals with the **most general** occupational health and safety issues and which covers the **most employees**.

EG10 Looking at Card 33 (PAUSE) which one of these statements best describes the composition of the committee?

(Possible responses are;

THERE ARE MORE NON-MANAGERIAL REPRESENTATIVES THAN  
MANAGERIAL REPRESENTATIVES

THERE ARE AN EQUAL NUMBER OF NON-MANAGERIAL AND MANAGERIAL  
REPRESENTATIVES

THERE ARE MORE MANAGERIAL REPRESENTATIVES THAN NON-  
MANAGERIAL REPRESENTATIVES

ONLY MANAGERIAL REPRESENTATIVES ARE ON THE COMMITTEE)

EG11 Is there a requirement that at least some employee representatives on the committee must be union members?  
(Possible responses YES or NO)

EG12 Looking at Card 34 (PAUSE), how often have meetings of this committee been held over the past year?

(Possible responses are;  
AT LEAST ONCE A WEEK  
AT LEAST ONCE EVERY MONTH  
AT LEAST ONCE EVERY THREE MONTHS  
IRREGULARLY  
-IT DID NOT MEET)

EG13 Are there any employees here who specifically represent workers' interests on health and safety matters in addition to their normal duties?  
(Possible responses YES or NO)

EG15 Are any records kept in this organisation of the occupational injuries and diseases affecting employees at this workplace?  
(Possible responses YES or NO)

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