

*Delta*  
**Submission regarding  
the New Zealand  
Workplace Health and  
Safety System**

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## 1. Introduction

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Delta is the infrastructure specialist. We invest in, design, construct, manage and maintain infrastructure in energy, water, waste, communications, transport and land.

Delta applauds the formation of this taskforce and its objectives. In particular we are pleased that the Taskforce acknowledge that the workplace health and safety system is a complex one, impacted by more than regulation or the employer alone.

## 2. Consultation Document

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This submission has been structured in line with the consultation document. Our main comments on the consultation document follow.

### 1.1. Regulatory Issues

- There is a need for suitable information (including regulations and guides) that take into account the language and literacy issues that exist within the New Zealand workforce. The civil sector has a significant issue in this area, likely to be only made worse as more people enter this sector or New Zealand to support the Christchurch rebuild.
- Guidance documents need to provide clarity on “best practise” as the regulator determines it, to enable the employer to have the appropriate understanding of what is required of them by industry. The current “all practicable steps” as defined in legislation is insufficient in high hazard industries to determine what is expected of an employer.
- There should be one agency with the sole and exclusive focus on workplace health and safety in New Zealand, to avoid confusion, overlaps and to manage resources effectively.
- That sole agency should be effectively resourced to enable more educational offerings and employer support, rather than focusing solely on enforcement.
- New Zealand workplaces and their requirements vary, as is reflected by the hours worked in different organisations and by season. Rather than implement maximum hours legislation, the regulator should focus on how employers manage fatigue within the requirements of their specific industry.

### 1.2. Worker Participation and Engagement

- Employee participation is essential, in any workplace, to ensure safety at work. We support employee participation, but consider it important that those staff involved are genuinely interested in safety issues. Therefore volunteering and elections among all staff are important parts of the process, with all staff equally able to put themselves forward. Having specific union representatives in this process is not required, as many union members put themselves forward anyway.

### 1.3. Leadership and Governance

- Our organisation is already involved in a number of health and safety groups, including the Business Leaders Health and Safety Forum and several industry specific groups. Such groups should be encouraged through all high risk sectors.
- We have voluntarily introduced a range of leadership lead indicators such as behavioural measures of actions taken, site visits etc and feel these actions have been very useful in

improving our workplace safety outcomes. Education on such measures should be made available to wider employer groups.

#### **1.4. Capacity and Capability**

- Inclusion of health and safety training within secondary and tertiary education would assist in bringing awareness into the workplace. Rather than focussing only on health and safety training, all professional and technical training should have a safety centric focus.
- The health and safety representative training while commendable is not pitched at a level to suit operational staff – particularly where they lack literacy skills. These courses need to be more pragmatic in addressing the real issues those staff need to understand to make a difference and contribute.

#### **1.5. Incentives**

- A program that recognises and acknowledges employers for good health and safety outcomes would enable others to take those results into account when making purchasing decisions.
- As an infrastructure specialist (including contracting) the cost of compliance, compared to what other organisations spend on compliance (or do not spend), can impact our ability to win work. In a highly competitive industry, the temptation for the hungry to cut corners on safety might be too tempting for some. To drive safety behaviours we need to ensure those that comply are not dis-incentivised – the system needs to consider the unintended consequences that may occur.

#### **1.6. Measurement and Data**

- Both lead and lag indicators provide valuable benchmarks and information to business. Access to better benchmarking data would be valuable, as would the inclusion of work related vehicle accidents in the ACC incident data.