



Submission of the

Trans-Tasman Oil and Gas Alliance

to the

Independent Taskforce on Workplace Health  
and Safety

**Strategic Review of the Workplace Health and Safety  
System**

P O Box 3705  
Wellington

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## INTRODUCTION

This submission is made on behalf of the Trans-Tasman Oil and Gas Alliance. This alliance involves the New Zealand Engineering Printing and Manufacturing Union, the Maritime Union of New Zealand, the Maritime Union of Australia, and the Australian Workers Union. The four unions cover members who work in supply ships, tenders, tugs, catering, seafarers, divers, maintenance, rig workers, and a range of skilled trades and craftspeople who work on oil rigs and floating platforms. We also have members that work at onshore drilling and production facilities both in New Zealand and Australia.

The Trans-Tasman Oil and Gas Alliance, through its New Zealand alliance members, worked closely with the Health and Safety Policy Unit on the Health and Safety in Employment (Petroleum Exploration and Extraction) Regulations 1999 Review, including numerous meetings and submissions. It is this experience that we wish to share with the Task Force. Therefore, this submission will focus solely on Questions 11, 12, 17 and 18 from the Safer Workplaces Consultation Document.

The Trans-Tasman Oil and Gas Alliance welcomes the opportunity to submit to the Task Force on these specific recommendations put forward to the Health and Safety review and would welcome the opportunity to discuss these further with the Taskforce should the opportunity arise.

## LEADERSHIP AND GOVERNANCE

### **To what extent do directors and other senior leaders provide effective leadership and governance of workplace health and safety?**

All the members of the Alliance believe that it is essential for the Directors and Senior Employees at workplaces to be the leaders in Health and Safety. With the range of multi-nationals involved within the Oil and Gas industry both here and in Australia, we have learnt the importance of the messaging and behaviour coming down from the top to emphasise/reiterate that the well-being of all employees and the importance of workplace health and safety is a core business practice – it is not about being a hindrance to production or merely a compliance cost. With so many different levels of management within our industry it is paramount that the safety of the workforce has to be a priority of the directors and senior leaders otherwise disasters will happen.

As we have learnt from the Pike River disaster when Directors and Senior Leadership prioritise production over safety, it is a recipe for disaster. In the Oil and Gas Sector, like in the Mining Sector, this attitude often leads to multiple fatalities. The Deepwater Horizon disaster in the Gulf of Mexico in 2010 is a tragic example of this. The Australian Alliance members already have strong legislation in place to deal with the possibility of health and safety disasters and that expertise was vital when we looked at what was necessary for New Zealand so that we do not have our own Deepwater Horizon. Boards, owners/shareholders and senior leaders at all workplaces must be fully supportive of ensuring that Health and Safety is at forefront of any company policies and practices and that the mentality that puts profit ahead of people is not acceptable at their workplaces.

**What improvements can be made to directors' and other leaders' participation in workplace health and safety, so as to get better workplace health and safety outcomes?**

The Trans-Tasman Oil and Gas Alliance believe that duty holders need to be made personally accountable for any breach that leads to serious injuries. Directors should also be made accountable. Without this accountability, pressure from shareholders/owners to improve profitability will see a repeat of Pike River where production will be at the expense of worker safety and dangerous shortcuts will be taken.

## **INCENTIVES**

**How successful are government, industry, corporate or other potentially influential bodies in influencing health and safety outcomes beyond their own workplaces (for example through influencing their suppliers, counterparts, and competitors)?**

Following the Deepwater Horizon disaster it became obvious that much tougher regulations were needed in New Zealand if we were to avoid similar mistakes occurring here. The Energy and Communications Branch of the Ministry of Economic Development instigated a Review on the Offshore Petroleum Health, Safety and Environmental Legislation. The Trans-Tasman Oil and Gas Alliance was one of many contributors. The decision for the Alliance to submit was a unanimous one as we see ourselves as belonging to one Trans-Tasman labour market and we needed to ensure that any legislative changes in New Zealand did not weaken the Trans-Tasman position.

As a result of this review a tripartite group was formed to look specifically at Health and Safety in this industry. The group consisted of staff from the Ministry, and representatives from the EPMU, MUNZ and the relevant industry group, PEPANZ (Petroleum Exploration and Production Association of New Zealand). The Maritime Union of Australia and the Australian Workers Union were both used as advisors by the New Zealand unions to ensure that consistency, wherever possible, was achieved between the Australian and New Zealand health and safety legislations.

This group worked together constructively over a number of months and prepared a draft document that went to the Government. After changes were made to the document the Health and Safety in Employment (Petroleum Exploration and Extraction) Regulations 1999 Review) was released with a request for submissions.

PEPANZ, MUNZ, EPMU and the Trans-Tasman Oil and Gas Alliance all put in submissions that were broadly similar, after discussions were held between the groups as to what was required. Due to this joint approach to submissions, the document incorporated the recommendations within the submissions and that same group has now been charged with developing the Approved Code of Practice for Health and Safety Representatives within this sector.

This joint approach from industry groups and key stakeholders will have far reaching impacts on the health and safety for workers on their worksites whether they are offshore or onshore.

**What could be done to get government, industry, corporate or other potentially influential bodies to exert greater influence on improving workplace health and safety outcomes beyond their own workplaces?**

We believe that the approach discussed above is one that should be used across all industries. Tripartite meetings between Government, Unions and Industry is the way to ensure that health and safety outcomes are improved across many worksites and can give both workers and employer the confidence to know that all worksites have to meet the same criteria so the health and safety of workers can be seen as part of the core business and not as a compliance cost that is to be avoided if at all possible. It is also important that any legislative change should include looking across the Tasman to ensure that there is no obvious conflicts between our two countries' legislation, as more and more often Australia and New Zealand are seen as a single Labour Market and we should do all that is possible to protect our joint workforces. Health and Safety legislation must be about putting the safety of a workplace at the front.

## **CONTACT INFORMATION**

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