



Government of **Western Australia**
Department of **Mines, Industry Regulation and Safety**

Submission templates - Work Health and Safety Regulations for Western Australia

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WHS Regulations submission coversheet

Section 1: Submission details

Full name	[REDACTED]	
Organisation and position (if applicable)	[REDACTED]	
Email	[REDACTED]	
Telephone	[REDACTED]	
Employment status (if applicable)	<input checked="" type="checkbox"/> Worker <input type="checkbox"/> Employer <input type="checkbox"/> Self-employed <input type="checkbox"/> Other (enter details)	<input type="checkbox"/> Principal contractor <input type="checkbox"/> Contractor <input type="checkbox"/> OSH professional
Size of workplace	<input type="checkbox"/> Small (0-9)	<input type="checkbox"/> Medium (20-199) <input checked="" type="checkbox"/> Large (200+)
Please indicate in what capacity you are making this submission (select one of the following categories)	<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Business <input type="checkbox"/> Community organisation <input type="checkbox"/> Employer organisation <input type="checkbox"/> Other (enter details)	<input type="checkbox"/> Industry representative <input type="checkbox"/> Academic <input type="checkbox"/> Government representative <input type="checkbox"/> Professional
Which industry sector do you operate in?	Health	
Your type of job or business (if applicable)	Clerical Officer	

Section 1: Permission details

Internet publication

Public submissions may be published in full on the website, including any personal information of authors and/or other third parties **contained in the submission**.

Please tick this box if you wish for your input to remain confidential (that is, you **do not consent** to having your input published on the internet)

Anonymity

Please tick this box if you wish for your input to be treated as anonymous (that is, you **do not consent** to having your name, or the name of your organisation, published on the internet with your input)

Third party personal information

Please tick this box **if your input contains personal information of third party individuals**, and strike out the statement that is not applicable in the following sentence:

The third party **consents / does not consent** to the publication of their information.

WHS Regulations submission comments

Enter your comments on specific regulations in the table below. You may add new rows at the end of the table if you wish to include comments on other aspects of the national model WHS regulations.

When making your submission, please consider providing specific responses to the following issue:

1. What is the benefit to workplace participants of a proposal?
2. What is the likely cost for you, your business and the Regulator to implement a specific proposal?
3. Is a specific recommendation likely to be effective in achieving healthier and safer workplaces?
4. Are there any unintended consequences of adopting individual regulations in the model WHS regulations?
5. If a new requirement is proposed by the model WHS regulations, what are the costs and benefits?

This template can be used for providing your views concerning:

- National Model Work Health and Safety Regulations
- Demolition licensing under the OSH regulations
- Commercial driver fatigue under the OSH regulations
- Protection from tobacco smoke under the OSH regulations
- Proposed deletions in Western Australia to remove overlap with the *Dangerous Goods Safety Act 2004*

Section 2: Feedback

Track-changed document submission

- Which consultation document(s) are you providing feedback on?
- Differences between the national model WHS regulations and the OSH regulations 1996
 - Consultation document WHS (Mines) Regulations for WA
 - Consultation document WHS (Petroleum and Geothermal Energy Operations) Regulations for WA
 - Proposed deletions in WA to remove overlap with the Dangerous Goods Safety Act 2004*
 - Commercial vehicle drivers: Hours of work – Work Health and Safety Regulations for WA
 - Protection from tobacco smoke – Work Health and Safety Regulations for WA
 - Demolition work: Licence – Work Health and Safety Regulations for WA

Number of pages in
your submission

Does this submission contain a **track-changed version** of the
draft proposal?

Yes

No

If yes, submit as a Microsoft Word compatible document (.docx)*

General comments

Responding to “Review of the model Work Health and Safety laws” Final Report, Marie Boland

“Invisible Women: Exposing Data Bias in a World Designed for Men”, 2019, Caroline Criado
Perez OBE, winner 2019 Royal Society Science Book Prize

“Mainstreaming gender into occupational safety and health practice”, 2014 European Agency
for Safety and Health at Work

The definition of Psychological Safety might be extended in this way:

In Caroline Criado Perez’s book listed above, the author provides terms of reference which speak to a
definition of women’s psychological safety at work; a Worksafe for Women.

To paraphrase the author, many women have at least two jobs; a paid job and an unpaid carer role; a
second role, that they are often socially expected to take on. Women have different shaped bodies
and biology which functions differently in crucial ways to men. Women are regularly subjected to
unwanted attention, ranging from mild to life-threatening, in ways that men are not and, of which men
are often unaware. Many areas of research, the subsequent data analysis and finally, resource
allocation in spheres like work, simply ignore these factors because historically, it is ‘too complicated’.

According to Criado Perez in several advanced western democracies it has only become mandatory in
the last few years to even include women as subjects, at all, in scientific research studies that go on to
determine resource allocation and policy. Her simple call, is for women to be asked what they want,
and then that they be listened to.

This is to say, women’s psychological safety and indeed physical health & safety are being
compromised, because of an assumption that the way in which men have worked historically, is also
the way in which women work today; that no new data needs to be collated about women’s work safe
requirements; to aid how they stay safe; how they cope, at work; how health and safety policy applies
differently to them.

To that point, “Mainstreaming gender into occupational safety and health practice” is a document from
the European Agency for Safety and Health at Work. It uses many cases and employs language
around this issue specifically from an occupational health and safety space.

In a way, I am calling for there to be more ‘inclusion and diversity’ terms of reference in Work Health
and Safety policy; that women, young & aging women, women in minorities and LGBTQ women;
women at all levels, are placed in danger, under duress and rendered unable to capitalise on
opportunities because health and safety language and practice does not account sufficiently for the
specifics of the situation in which women produce work. If it did, the stress – the psychological stress
on women – of having to meet a standard that does not take them into account would be much
reduced; and the ensuing equity; and women’s’ productivity, safety and wellbeing increased.

I am more than willing to contribute further to such efforts, respond to feedback and take actions in my
job and outside of my role.

Some examples from Criado Perez and others:

- Extra Parental Leave in the first 3 months after birth

- Diversity and sensitivity training around sexual harassment for men, that includes how to address female colleagues, look at them respectfully and also how to first-respond to female colleagues and clients who are experiencing harassment
- Personal protective equipment, hazard gear and tools designed from scratch for women's bodies and dimensions
- Doors and trolleys that minimise the demand on the women who daily use them
- Climate control systems set to accommodate the metabolism of the women using offices
- Programs supporting the duties of older women to minimise stress, wear, isolation and injury; to prolong their working lives

Detailed comments

If commenting on specific content, you may wish to use the table below.

Reference to specific model WHS / OSH reg no.	Comment