The Maritime Union Of Australia National Office

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Ms Julia Agostino
Committee Secretary
Senate References Committee on Education and Employment
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Dear Julia,

Submission to the Senate Standing Committee on Education and Employment Inquiry into Government's approach to re – establishing the Australian Building and Construction commission by the Maritime Union of Australia

At the public hearing of the Senate Standing Committee on Education and Employment Inquiry in Sydney last Thursday 6 February 2014, the Maritime Union of Australia (MUA) was asked by Senator Back to explain the calculation of 14.3 deaths per 100,000 stevedoring workers per year, and serious injury rate of 51.9 per 1,000 workers per year, cited at paragraph [125] and Appendix 1 to the Submission of the Maritime Union of Australia dated 31 January 2014, was calculated.

The MUA was further asked to clarify the figures cited at paragraph [125] of its submission generally, and to explain why different sources of data had been cited for the purposes of comparison between the stevedoring industry and for all industries in terms of deaths per 100,000 workers per year and serious injury rates per 1,000 workers per year.

There are two key elements to calculating the death or injury rate for an industry: the number of workers in the industry and the number of deaths or injuries.

The number of workers in the industry

Stevedoring is a small industry, so it is not separately included in Safe Work Australia or Australian Bureau of Statistics reports. Rather, stevedoring workers are rolled into the much larger 'Transport and storage' or 'Transport, Postal and Warehousing' Industries. Accordingly, it was necessary to derive statistics for the numbers of workers in the Stevedoring Industry.

The MUA has used its knowledge of the Stevedoring Industry to calculate the number of workers in the industry. The only other publication of the numbers of workers in this industry that we are aware of is in the IBISWorld *Stevedoring Services in Australia 2013* Report (available from IBISWorld) which is cited by Safe Work Australia in the October 2013 *Consultation Regulation Impact Statement for the Draft Model Code of Practice: Managing Risks in Stevedoring* (Consultation RIS, available on Safe Work Australia's website). The Union's calculations include an average of 1,254 more workers in the industry per year in the focus years than are included in the IBISWorld report. This is because the IBISWorld report focuses on employees of container terminals, and may not include workers in smaller bulk and general ports.

The consequence of basing our calculations for fatality rate and serious injury rate on a larger pool of workers is that our figures are slightly more conservative and give a slightly lower fatality and injury rate than those given by Safe Work Australia in their Consultation RIS on the proposed Stevedoring Safety Code of Practice. However, these rates are still disproportionately higher than

those for workers in other industries, as Table 2 demonstrates.

The number of fatalities and injuries

The number of fatalities in the stevedoring industry are unfortunately well known to the MUA as they were all MUA members. They are as follows:

a. Peter Ross, Appleton Dock, Vic, January 2007;
b. Bob Cumberlidge, Westernport, Victoria, March 2007;
c. Brad Gray, Brisbane, Queensland, February 2010;
d. Nick Fanos, Port Botany, Sydney, March 2010;
e. Steve Piper, Appleton Dock, Melbourne, July 2010;
f. Greg Fitzgibbon, Newcastle, September 2012

Safe Work Australia published industry-specific data for serious claims injuries in the stevedoring industry in October 2013 in the Safe Work Australia Consultation RIS on the proposed Stevedoring Safety Code of Practice. These figures are extracted from the National Data Set for Compensation-based Statistics, which represent serious workers' compensation claims.

The data

Table 1: Stevedore industry 2007-2012: number of workers, number of fatalities, and number of serious injury claims.

	Number of stevedore workers on MUA records	**Number of serious injury claims**	**Number of workplace fatalities**
2007	6556	390	2
2008	7540	360	0
2009	6911	355	0
2010	6829	370	3
2011	6640	350	0
2012	7412	350	1
Total	**41888**	**2175**	**6**
Average per year	**6981**	**362.5**	**1**

Source: The number of serious injury claims are from Safe Work Australia, 2013, *Consultation Regulation Impact Statement for the Draft Model Code of Practice: Managing Risks in Stevedoring*, p.23. The number of fatalities is from the list above.

The calculations

A. Fatality rate (usually given per 100,000 workers):
(average fatalities per year/average workers per year) x 100,000
(1 / 6981) x 100,000 = 14.3 deaths per year per 100,000 stevedoring workers
It is appropriate to average the fatality rate over a number of years due to the small size of the workforce which means large annual fluctuations.

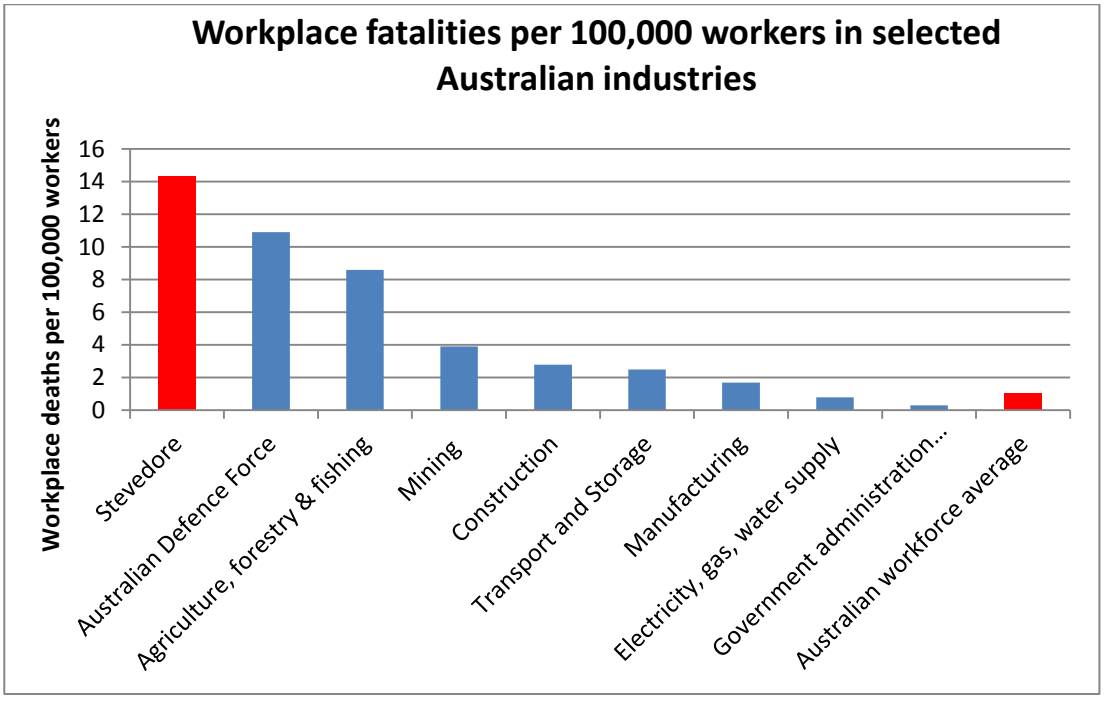
B. Serious injury claim rate (usually given per 1,000 workers):
(average serious injury claims per year/average workers per year) x 1,000
(362 / 6981) x 1,000 = 51.9 serious injuries claimed per year per 1,000 stevedoring workers
We have averaged the serious injury claim rate over the same number of years as the fatality rate for consistency with the fatality rate.

Table 2: Comparison of stevedore industry serious injuries and fatalities with broader transport and storage industry and all industries.

	Stevedoring (average 2007-2012)	**Transport and storage (2011-2)**	**All industries (2011-12)**
Serious injury claim rate per 1,000 workers	51.9	20.7	12.2
Fatality rate per 100,000 workers	14.3	2.5	1.05

Sources: Serious injury claim rate for the stevedoring industry is calculated above in B. The rate for 'transport and storage' and 'all industries' is from Safe Work Australia, 2013, *Consultation Regulation Impact Statement for the Draft Model Code of Practice: Managing Risks in Stevedoring*, p.24.
Fatality rate for the stevedoring industry is calculated above in B. For the transport and all industries it is from: Safe Work Australia, 2012, *Notified Fatalities Statistical Reports 2010-11*, p.7.

Figure 1: Comparison of fatality rates in selected Australian industries.



Sources: As outlined above, Safe Work Australia does not give a specific fatality rate for the stevedoring industry. It also does not provide a specific fatality rate for the Australian Defence Force. Therefore the following sources were combined to produce the graph above.

- *Stevedore:* Table 2
- *Australian Defence Force:* 38 deaths 2007-2012, all in Afghanistan. Average of 6.3 deaths per year. The ADF has a permanent force of 58,000 (*Department of Defence Annual Report 2011-12*, p.20). Result is 10.9 deaths per 100,000 ADF members per year. Safe Work Australia provides aggregated figures for 'Government administration and defence', so the more specific calculation was made based on the permanent force of the ADF.
- *Selected other industries:* From: Safe Work Australia, 2012, *Notified Fatality Statistical Report 2010-11*, p.7.

We hope this information provides the clarification sought by Senator Back. Should any Committee member have any further queries regarding the submission please feel free to contact me.

Yours faithfully

Mick Doleman
Deputy National Secretary