

Electrical Safety Act 2002 Review Recommendations

#	Response by recommendation (or close to it)
6.1	<p><u>Insert additional recommendation:</u> Consider including within the definition of Electrical Work a direct tie to Licenced Cabling including all relevant endorsements attainable by a Licenced Cabler and linked with (Recommendation 4).</p>
15.1	<p><u>Insert additional recommendation:</u> Consider including greater clarity to the use of appropriate PPE as per AS4836 (to be updated with the standard) when defining “Testing” to address the lack of understanding and awareness.</p>
19	<ul style="list-style-type: none"> • That if this is to remain, that this existing recommendation and it’s potential implementation shall maintain the clear terminology within Sch9 of the ESRegs that a Safety observer “must be trained <i>and deemed competent...</i>” • Delete the recommendation in favour of my 19.1 below and never dumb down the requirements for a Safety Observer training to that of a “non-accredited course”.
19.1	<p><u>Insert additional recommendation:</u> Consider including greater clarity to the definition of a Safety Observer to fall in line with the definition of that in AS4836, that they shall be suitably qualified to be able to fulfil the ability to identify “electrical equipment”, “exposed energised conductors” and “live conductive parts” or be a licenced Electrical Mechanic qualified in any state or territory of Australia. – tie this in with recommendation 20</p>
19.2	<p><u>Insert additional recommendation:</u> Consider including a formal listing of the minimum safety equipment a PCBU shall make available and be responsible for the maintenance of and <i>ensure</i> is made ready for use by a Safety Observer:</p> <ul style="list-style-type: none"> (a) a mandated list of LVR Kit contents (that is actually useful) (b) accompanying equipment (that shall also be used by either the electrical worker or the Safety Observer) (c) an Automated External Defibrillator (a real one) <p>Items constituting (a) & (b) are to very clearly and specifically listed on a Code of Practice document to be linked to this. (talk to me about this)</p>
24	<ul style="list-style-type: none"> • Include the duty of a QTP to make (b) <ul style="list-style-type: none"> - keep evidence of annual competency checks of workers • Include the new duty of a QTP after item (c) <ul style="list-style-type: none"> - shall be the employer representative on all apprentice training contracts (which means present while the Employer Resource Assessment is being conducted and signing off on them too.)
31 & 32	<p>Tighter governance of the RTO’s able to train and assess the Certificate 3 in Electrotechnology and the competence of the (current and future) trainers they employ would be a great way to improve outcomes in Queensland.</p>

	Having a minimum requirement for Electrotechnology trainers would help fix that problem, as it is left up to the management of an RTO who currently seem to be a law unto themselves. (The current standard is not high and gives focus on both <i>cronyism</i> and the <i>money grab</i> approach regarding government funding as being a priority over the students actual knowledge)
33	Delete this recommendation until it can be shown that it can and will be properly controlled without conflict of interest from inappropriate influence and/or undue allegiance to any specific RTO's, unions or any other associated regulated or unregulated groups or contracting businesses. OR Add that if an <i>assessment section</i> is created within the ESO that it be open and willing to be investigated at any time for conflict of interest that exposes any undue allegiance to any specific RTO's, unions or any other associated regulated or unregulated groups. AND Introduce the same fit and proper persons testing mentioned in recommendation 41, to RTO's for both management and trainers.
33.1	<u><i>Insert additional recommendation:</i></u> Consider prohibiting the training of apprentices on the job from being administered by a GTO for all Licenced outcome trades which will include Electrotechnology due to it not being done correctly. OR That the ES Act makes mention of "suitably regulated on the job training for Apprentices", and then makes reference to a system/approach that forces GTO's to actually do their job correctly.
40	Include an electrical workers photo into the online licence search information made available for anyone to verify the identity of the person standing in front of them showing them an electrical licence with that persons photo on it. (available technology to the public, means anyone can produce a licence card with a photo on it these days).
41	Introducing the equivalent of UEE42120 has been tried before and is not a viable pathway in place of the existing pathway. Keep (a) though as 5yrs running a business previously is very much NOT a precursor to competence.
44.1	Consider introducing the mandatory placement of a "Summary version" of a Certificate of Electrical safety "attached" on or at the main Switchboard for every electrical job performed whether the job is new or an alteration to an existing job. The minimum information in the summary shall be the same 5 mandatory items required on a certificate of electrical safety.
49	Add that the existing role and any new duties introduced for Commissioner for Electrical Safety and the ELC be open and willing to be investigated at any time for a conflict of interest, that exposes any undue allegiance to any specific RTO's, unions or any other associated regulated or unregulated groups or contracting businesses.
50 & 51	Before either of these two recommendations are included:

	<ul style="list-style-type: none"> - Make public the findings of a fit and proper persons investigation as implied in recommendation 41 to both the Commissioner and all members of the ELC - Make public any conflict of interest declaration made that states the Commissioner and all members of the ELC be without inappropriate influence and/or undue allegiance to any specific RTO's, unions or any other associated regulated or unregulated groups or contracting businesses.
52	<p>This recommendation is too broad in its potential application as the existing Act referred to in the recommendation states:</p> <p><i>Section 59 - Power</i></p> <p>(1) <i>The Commissioner has the power to do <u>anything</u> necessary or convenient to be done for the performance of the commissioner's functions.</i></p> <p>(2) <i>The commissioner also has the powers given to the commissioner under this act or any other act.</i></p> <p>This is way too open ended and literally uses the term "anything". That would be a NO from me.</p>
55	<p>"training and education representatives"</p> <p>Provided that any new inclusion:</p> <ul style="list-style-type: none"> - Make public the findings of a fit and proper persons investigation as implied in recommendation 41 for the proposed member. - Make public any conflict of interest declaration made that states the proposed member be without inappropriate influence and/or undue allegiance to any specific RTO's, unions or any other associated regulated or unregulated groups or contracting businesses. - Make public the EOI for applying for the role of the new member and that it is not by appointment behind closed doors or unelected process.
59	<p>To be deleted. This is unnecessary as this task already falls upon the PCBU to monitor and record, and any RTO to seek proof of upon application for any further training where required....and does not need a qualified Electrical worker's licence to check for a licence using the online portal.</p> <p>This is just an example of a self-gratifying suggestion from someone who wants a job for themselves or their mates, and to try and mandate that it "shall" only be someone employed by the Electrical Trades Union in Queensland is equally absurd.</p>
60	<p>To be deleted. This is just a suggestion for "jobs for the boys" like recommendation 59. Being a safety representative and being a union member are not remotely linked criteria for existing. This does not ignore the fact that the role itself may be a required one.</p>
61	<p>So long as the publicly available results of any review/reviewer are preceded by a publicly available results of:</p> <ul style="list-style-type: none"> - a fit and proper persons investigation as implied in recommendation 41. - any conflict of interest declaration made that states any review/reviewer member be without inappropriate influence and/or undue allegiance to any specific RTO's, unions or any other associated regulated or unregulated groups or contracting businesses.

62	<p>So long as the publicly available results of any review/reviewer are preceded by a publicly available results of:</p> <ul style="list-style-type: none"> - a fit and proper persons investigation as implied in recommendation 41. - any conflict of interest declaration made that states any review/reviewer member be without inappropriate influence and/or undue allegiance to any specific RTO's, unions or any other associated regulated or unregulated groups or contracting businesses.
63(c)	<p>CPR Training should be aligned with the Australian Resuscitation Council Requirement that train be renewed every 12months, in all documents where it is mentioned, or needs to be mentioned.</p> <p>This should also be locked in with LVR training and as already discussed previous with suggestions 19, 19.1 & 19.2</p>
66	<p>Make sure this is controlled closely so that the same debarkle with cowboy contractors (which do exist) doesn't take place as it did with the government funded insulation, water tank, and solar rebate schemes.</p>
69	<p>Having an electrical Safety Certificate issued every 5yrs on a domestic property is un-necessary if the work done at any time is compliant and has a certificate issued at that time.</p> <p>Perhaps consider severe penalties for the unlicensed DIYers and licenced person infringements who tend to be the main cause of the problems.</p>
70	<p>Maybe plausible to introduce (a), but having an electrical Safety Certificate issued every 5yrs on a domestic property is un-necessary if the work done at any time is compliant and has a certificate issued at that time.</p> <p>Perhaps consider severe penalties for the unlicensed DIYers and licenced person infringements who tend to be the main cause of the problems.</p>
new	<p><u><i>Insert additional recommendation:</i></u></p> <p>All positions mentioned in the ES Act shall be publicly advertised and appointed, in conjunction with the results of:</p> <ul style="list-style-type: none"> - a fit and proper persons investigation as implied in recommendation 41. - any conflict of interest declaration made that states the appointed person be without inappropriate influence and/or undue allegiance to any specific RTO's, unions or any other associated regulated or unregulated groups or contracting businesses.
new	<p><u><i>Insert additional recommendation:</i></u></p> <p>Introduce an appropriate Skills Maintenance test for both a QTP & QBP to retain their roles in a contracting business, as there is currently none unless the Contractor's licence is being altered.</p>
new	<p><u><i>Insert additional recommendation:</i></u></p> <p>Remove all references to gender for any role mentioned in the ES Act. Suitability for a role <i>shall</i> be based purely on qualification and demonstrated experience if this document is to remain a professional one.</p> <p>Eg: Section 89 Clause 2(d)</p>