

Mr Bill Gillooly
Secretary-General
Local Government Shires Association of NSW
GPO Box 7003
SYDNEY NSW 2001

Attention: Adam Dansie Adam.Dansie@lgsa.org.au
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Dear Mr Gillooly

HUNTER COUNCILS – DRUG & ALCOHOL TRIAL

The trial Councils' in the Hunter Region have considered the request to provide additional information for the Development and Environmental Professionals Association as requested by their Secretary, Ian Robertson at a recent appearance before Justice Haylen in the Industrial Relations Commission of NSW.

We understand that the data which has been requested is:

- Sick Leave - the data for the last five years, broken down (where possible) into half yearly periods from 1/1 to 30/6 and 1/7 to 31/12.
- EAP usage - again, data for the last five years, broken down into half yearly periods from 1/1 to 30/6 and 1/7 to 31/12.
- WHS incident/ accident data - whilst we acknowledge that the data for the trial period on reportable incidents is contained in the Working Party Report, please provide the data for Reportable incidents and accidents on a yearly basis for the past five years.
- Cost/time for training and education;
- Cost/time for consultation with the staff;
- Cost/time for testing and where possible the cost/time broken down into random, post incident and reasonable suspicion.

The Hunter Councils who were members of the Working Party formed by the LGSA and Unions are concerned that we are being asked to provide additional information which was not agreed to be provided as part of the trial. The Working Party established by the LGSA and Unions determined what information should be provided as part of the report on the trial and this information was provided in the report provided to the LGSA and Unions at the end of the trial. In addition, we have provided additional information at DEPA's request since then.

We are now being asked to voluntarily supply further information which is not necessarily going to add any useful information to the outcomes of the trial but which will take a considerable amount of time and resources to produce. We have all committed a great deal in time and staff resources to support this industry trial and we are concerned that at this late stage a union who chose not to participate in the Working Party is seeking such information. Their opportunity to influence the information that was to be collected and reported on as part of the trial surely was for them to participate and commit resources to the industry trial as it was taking place.

All trial Councils are also concerned at the apparent move to connect the costs of running the trial with a perception that it is not a worthwhile use of funds for our safety programs. Under the Work Health and Safety Act that is entirely up to the PCBU to determine and justify what is reasonably practicable to eliminate or minimise risks in the workplace. Further, the costs incurred under the trial will be greater, in our estimation, than the costs moving forward with this program because it was a trial and therefore there was much that was learned during the process that will help minimise the costs moving forward.

The trial Councils are in no doubt that this program is important and has made a difference to safety in our organisations and compliments our total safety programs.

Accordingly, we have decided not to provide this additional information.

As this project commenced over 2 years ago, we urge the LGSA to finalise the production of the industry agreed document with those unions who are willing to sign off as soon as possible.

Yours faithfully


Peter Gesling
GENERAL MANAGER

14 June 2012

cc Hunter Councils General Managers
Roger Stephan, CEO Hunter Councils
Michelle Gilliver-Smith, HR Manager, PSC