

Form 73A – Notice of WHS dispute

Work Health and Safety Act 2011, section 102B

INDUSTRIAL REGISTRAR
22 JUN 2022
QUEENSLAND

NOTICE is hereby given under section 102B of the *Work Health and Safety Act 2011* to deal with a dispute.

BETWEEN
Australian Federated Union of Locomotive Employees

V

BHP Mitsubishi Alliance "BMA"

1. Particulars of party making application to deal with the dispute			
Name:	Damien McGarry		
Phone number:	07 3844 9163	Fax number:	07 3252 3682
Mobile number:	0407 819 011		
Email address:	damien@afule.org.au		
Name of contact person:	Damien McGarry		
Direct phone number of contact person:	07 3844 9163	Mobile number:	0407 819 011
Email address of contact person:	damien@afule.org.au		

Workplace where dispute exists*(1000 character limit. (Note: If more than 1000 characters are required please attach a schedule))*

BMA Locomotive operations.
 283 Hay point road Hat Point Queensland.

WHS matter subject of the dispute*(must include sufficient detail) 1000 character limit (Note: If more than 1000 characters are required please attach a schedule)*

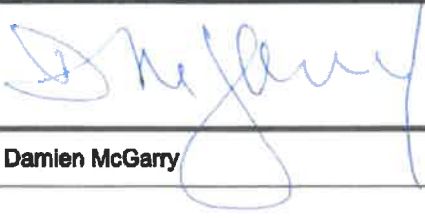
Request notice under S50,S52(5)S67 WHS Act was provided to BMA on 26/05/22, with the intent to negotiate the number and composition of work groups to be represented by health and safety representatives (HSRs) and the number of HSRs and deputy HSRs (if any) to be elected.
 Follow up email sent to Shirley Bella on 07/06/22 BMA has not responded
 Email sent to employees on or around 10/06/22 by BMA advising an election will take place with no negotiation as requested.
 Email sent to BMA Shirley Bella 13/06/22 requesting BMA to cease election and begin negotiation, no response.
 Complaint lodged with OIR 15/06/22 Ref# 62499 no action taken.
 This matter has not been resolved.
 See attached for relevant sections of the WHS Act and Regulations:

Is a decision made by an inspector to exercise, or not to exercise, compliance powers under part 10 to assist in resolving the dispute subject to review under part 12? YES NO

Particulars of the other party/parties to the dispute

Organisation:	BMA		
Phone number:	0418 440 638	Fax number:	
Email address:	shirley.bella@bhp.com		
Name of contact person:	Shirley Bella		
	Manager Rail		
Direct phone number of contact person:	0418 440 638	Mobile number:	0418 440 638
Direct email address of contact person:	shirley.bella@bhp.com		

Signature of person notifying the dispute

Signature:	
Name:	Damien McGarry
Position/Capacity:	WHS Office AFULE
Date:	22 / 06 / 22

Request notice under S50, S52(5) & S67 WHS Act was provided to BMA on 26/05/22, with the intent to negotiate the number and composition of work groups to be represented by health and safety representatives (HSRs) and the number of HSRs and deputy HSRs (if any) to be elected.

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This matter has not been resolved.

The relevant sections of the Work Health and Act and Regulations are:

S47 Work health and Safety Act 2011 (Qld)

S48 Work health and Safety Act 2011 (Qld)

S51 Work health and Safety Act 2011 (Qld)

S52 Work health and Safety Act 2011 (Qld)

S54 Work health and Safety Act 2011 (Qld)

S56 Work health and Safety Act 2011 (Qld)

S61 Work health and Safety Act 2011 (Qld)

S16 Work Health and Safety Regulations 2011 (Qld)

S17 Work Health and Safety Regulations 2011 (Qld)