

## Gonczarek, Melinda

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**From:** Madeline Northam <Madeline.Northam@cpsu.org.au>  
**Sent:** Monday, 15 August 2022 1:10 PM  
**To:** Duncan, Tom  
**Cc:** Brenton Higgins (CPSU ACT); BURCH; Brooke Muscat (CPSU ACT)  
**Subject:** Urgent CPSU correspondence - response required COB  
**Attachments:** CPSU MN to TD.pdf

**Importance:** High

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Good afternoon Mr Duncan

Please find attached urgent correspondence from the Community and Public Sector Union. The union requires a response by COB today.

Regards  
Maddy Northam  
CPSU Regional Secretary



**Community & Public Sector Union**  
Maddy Northam | Regional Secretary

Mr Tom Duncan  
Clerk  
ACT Legislative Assembly  
CANBERRA ACT 2601

Dear <sup>TOM</sup> Clerk,

I write regarding the significant issue of work, health and safety as it pertains to workers in the Legislative Assembly.

As you are aware, the CPSU is the largest workplace union for workers in the ACT Public Service, which includes those employees (both Office of the Legislative Assembly and the Legislative Assembly Members Staff) located within the Legislative Assembly precinct.

CPSU understands that you provided advice to the speaker, inter alia, that

"...these [WHS] functions do not take precedence over the effective performance of the Assembly's legislative, representative, and accountability functions."

This statement is not only deeply concerning, but suggests that you consider the Assembly to be above or immune from WHS requirements that apply to every other workplace in the country..

If this is indeed the view of the Assembly, then the CPSU holds serious concerns regarding your ability to effectively provide a safe and healthy workplace for workers, volunteers or visitors to the Assembly. It is the view of the CPSU, that as the PCBU the onus sits with you to undertake the appropriate risk mitigation steps to ensure worker safety in the workplace. The work undertaken by the assembly does not negate your obligation under the WHS Act, especially when it comes to protecting workers and ensuring a safe workplace, free from harm.

As a matter of urgency, the CPSU requires that you advise by COB today, whether the *Work Health and Safety Act 2011* (ACT) and its subordinate laws and instruments apply to the Assembly, including the requirement to provide a safe system of work to employees of both OLA and LAMS.

If this advice is not provided by COB today, the CPSU will advise its members of the circumstances in which they can cease unsafe work. If you have any questions, please contact me via email [madeline.northam@cpsu.org.au](mailto:madeline.northam@cpsu.org.au) or mobile on 0424 041 390.

Kind Regards,

15/08/22

Maddy Northam  
Regional Secretary