

To management,

As outlined in Victorian safety legislation, we have the right to elect Health and Safety Representatives. Over a month ago, union delegates reached out to management via email in order to begin the process of establishing designated working groups and electing HSRs.

Employers have 14 days to initiate discussions with workers and do everything reasonable to start these negotiations within this period. But, as Grant acknowledged in the workplace meeting on the 17/3/20 management failed to do so. Grant also refused our request to establish the DWG therefore refusing our request to elect HSR's.

This is in breach of safety legislation, if one or a group of employees makes a request to be represented by an HSR, then the employer has 14 days to commence the arrangements.

So in order to protect the health and safety of workers within the workplace and ensure our voices are heard, we elected several HSR's. As democratically elected HSR's, elected and supported by a vast majority of the workplace, we have put together a list of OHS concerns we have noticed in the workplace.

Firstly, we are concerned about the complete lack of consultation management has had with workers in response to the current pandemic. As per 3.2 of the Worksafe guide to employers:

Employers must consult with their employees when assessing a risk to the health and safety of employees at any workplace under the employer's control. Consultation is also required in the selection and application of control measures. In assessing the risks posed by a pandemic, employers should consult widely using existing workplace arrangements.

Industrial law shows that consultation is not just notifying the workplace of what is going to happen, the main legal precedent (as cited in the CEPU v Vodafone Network case 2001) states:

Consultation is not perfunctory advice on what is about to happen. This is a common misconception. Consultation is providing the individual or other relevant persons with a bona fide opportunity to influence the decision maker.

Another concern we have is the lack of social distancing within the workplace. State Government recently announced that *Non-essential indoor gatherings of greater than 100 people will no longer be permitted. Risk mitigation should be applied to gatherings of fewer than 100 people including the following:*

- *In a given occupied space, there must be a density of no more than one person per four square metres of floor space.*
- ***utilising alternative work options including work from home***
- *Guidelines should be developed for restricting entry to the workplace of persons who may have been infected with a pandemic disease or who have a relatively high risk of contracting it.*
- *... This may include taking an employee's temperature prior to allowing them entry to the workplace.*
- *Ventilation and air conditioning ...*
- *All internal spaces should be well ventilated and if possible, fresh air should be allowed to flow.*

At this point, none of these risk mitigating techniques have been widely applied or enforced in the call centre if at all. We also have concerns regarding the capability of the office to accommodate the health directives which you yourselves have instituted. Let's take your directive that employees wash their hands with hot water as an example. Firstly, only one person can use the sink at a time and abide by distancing rules. Secondly, the sink in the mezzanine

only has cold water running. The bathrooms themselves are too small to accommodate more than 1 staff member at a time and do not meet the 2m spacing requirements. In short, given how poorly equipped the Peel St office is, your employees are of the view that your measures are ill-thought-out.

We believe the implementation of this rule within the workplace is best practice.

Lack of appropriate cleaning. Research conducted by National Institutes of Health (NIH) shows that COVID-19 has the ability to last on plastic surfaces for up to 3 days. Studies have also shown that environments that are moderate in temperature, low wind, and a solid surface also help to keep the virus alive for longer and can last up to 3 days on plastic. This all means that it's no surprise that call centres + office environments are breeding grounds for the virus, a call centre in South Korea single handedly created a spike in cases in the country infecting almost half the call centre and their families. This makes it quite clear that keeping the office open, even with limited staff is a clear risk to both our health, families and the whole of Melbourne.

As already pointed out by delegates, without sick leave, unwell workers are incentivised to continue to come into the workplace to maintain a living income, furthering the likelihood of the spread of the virus. In addition to this, considering management's decision to send workers home who are sick without pay, it incentivises them to hide their sickness, and at the worst, punishes us financially for falling ill in one of the most significant health crises we have faced. Surveys of the workplace show that 84% of people feel more inclined to work when they are unwell because they don't have sick leave with 98% saying they feel unsafe to even come into work due to COVID-19. This is a clear show of how people are being forced to work in an unsafe environment and risk spreading the virus because they financially do not have any other choice.

On working from home, we are happy this initiative is becoming more widespread. In terms of OHS around this, in order to ensure interviewers are safe while working, the company should, as per, the EBA and OHS law, provide equipment needed or commit to reimbursing employees with the cost of setting up a work from home environment. This hasn't yet been addressed by management, this should have been discussed, as employees may already be incurring costs in this difficult time.

As an employer you must take into consideration the following:

1. **Work environment:** The work environment must be free of hazards such as poorly positioned cords or wires, or ungrounded or overheated electrical equipment.
2. **Workstation:** Just like in the office, a home-based workstation must include an appropriate, quality desk and chair that is adjustable to suit the worker. The keyboard must be at the right height so that arms and wrists are in a neutral position. Lighting must also be sufficient, with minimal reflection or glare. The cost of any extra equipment should be covered by the employer.
3. **Scheduling:** There is a tendency for teleworkers to not take breaks. Without the natural breaks of meeting with co-workers or walking to a printer, the teleworker tends to spend long periods in the same position, doing repetitive motions that may lead to musculoskeletal injuries.
4. **Emergency measures:** Emergency measures, such as evacuation, first aid facilities, and other measures as necessary must be in place for the safety of teleworkers.
5. Remote access: access to IT systems, etc
6. Psychological wellbeing: maintain regular contact with the workers through phone calls, instant messaging, meetings on online platforms, and so on.
7. **Responsibilities:** Even though the worker is working at home, it needs to be absolutely clear that the employer has responsibility for health and safety issues and worker's compensation. An employer representative must ensure the work environment is safe, and stay in touch with the worker. As for the

worker, he or she must report accidents or injuries to their supervisor, just as workers at the worksite are required to do. It is probably worthwhile to have these details in writing to avoid any confusion, especially in the event of a compensation claim. Also to include in the agreement: which parts of the home are considered "the workplace", and that the employer or a health and safety committee representative has the right to access this area of the home to conduct a health and safety inspection.

In addition to this, in order for employees to be able to work from home, employees may have to buy hardware and other overhead expenses. This could include headsets, adjustable chair, desk, keyboard, internet data usage etc. As mentioned above, OHS law and our EBA states employees must be reimbursed for these costs, it is also in good faith and best practice that the company provides their employees with this information ASAP in order to ensure as many people as possible are able to work from home and be safe while doing so.

15.1 In addition to the remuneration payable under clause 9 - Wage rates, an employer shall reimburse an employee for all expenses which have been actually and properly incurred by the employee as required by the employer in the discharge of the employee's duties.

15.2 Such expenses as can reasonably be anticipated shall be payable in advance.

Furthermore:

Certain non-covid issues have persisted for years and include limited break room capacity, insufficient chair and headset quality, density of people & building accessibility, though we acknowledge that there are building limitations around accessibility and that SRC are pursuing relocation measures.

As the State of Victoria now enters Stage 3 restrictions there is an absolute necessity to elevate these outlined issues. We'd also suggest it's also in the best short and long term interests of The Social Research Centre that these are investigated and remedied appropriately.

In these extraordinary times there is an elevated social compact and responsibility that we all must commit to adhering to, whether you are a citizen, an employee or employer. As elected HSR's, we have concluded it is of best ethical practice that The Social Research Centre completely shuts down the call centre, pays all staff paid sick leave and reimburse the costs of equipment required for WFH.

From, HSR team