



**MEU Submission to the
*Evaluation of occupational health
risks in the Queensland resources
industry***

June 2022



**Mining &
Energy
Union**



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About the MEU

The Mining and Energy Union has been representing mining and energy workers for over 150 years.

Our members work in underground and open cut coal and metals mines, the generation, transmission and distribution of electricity (predominantly from coal-fired power stations), the petrochemical industry and iron ore mining and transportation.

Our members face significant challenges including inherently dangerous workplaces, ruthlessly profit-driven multinational employers and rampant casualisation of the workforce.

We are fighting to continuously improve workplace health and safety, for fair workplace deals that recognise the contribution of mining and energy workers, for secure, permanent jobs and for investment in the regional communities that sustain our industries.

Stephen Smyth
District President
Mining and Energy Union
Queensland District



Executive Summary

Every worker should feel safe and protected, in all aspects of their work. The MEU welcomes the Queensland (QLD) Government's evaluation of occupational health risks in the Queensland resources industry, with regards to psychosocial hazards, including sexual harassment.

A survey of mine workers in QLD conducted by the MEU in June 2022 shows that mineworkers are experiencing sexual harassment at unacceptable levels. Around one in three workers agree or strongly agree that sexual harassment is a problem in the QLD mining industry and nearly one in four workers reported experiencing or witnessing sexual harassment in the workplace.

Insights from the survey and the experience of the MEU is that sexual harassment is often a gendered issue. The MEU welcomes efforts by some of the big mining companies to achieve greater gender balance in their workforces, which have traditionally been among the most male dominated of any industry in Australia. Shifting the gender balance in 'blue collar' trades and production roles is challenging, nevertheless the increased proportion of women working in this sector is a welcome development that has led to a significant increase in women union members in the past decade.

As reflected in our survey results and the lived experience of our members, mining companies need to do more to back up the gender equality strategies developed in head office with practical support on the ground to support women in male-dominated workplaces and embed healthy, safe, respectful workplace cultures and practices for all workers on site and in residential camps.

In 2021 we provided a submission to the Western Australian Parliamentary Inquiry into Sexual Harassment against women in the FIFO mining industry through the Western Mineworkers Alliance. We have undertaken a similar process for QLD workers.

The results from QLD are not as dire as those in WA, particularly in regards to physical rates of sexual harassment, verbal sexual harassment and some inappropriate behaviours. This is likely due to the QLD industry being more unionised and less remote. However, the rates of sexual harassment reported in our survey are unacceptable and require action.

The MEU is pleased to contribute this submission, which is based on survey results of over 600 workers and our experience representing mineworkers across QLD. The MEU looks forward to working with government and employers on practical proposals to stamp out sexual harassment and improve the physical and mental health and safety of workers in the QLD resources industry.

Recommendations

Recommendation 1: Efforts to stamp out sexual harassment should be extended to include the broader issue of bullying and harassment of workers in the mining industry, which is widespread.

Recommendation 2: Continuous education to make sure workers across all demographics understand and recognise sexual harassment in all forms.

Recommendation 3: Creation of an independent reporting process for sexual harassment. We recommend that the Commissioner for Health and Safety would be an appropriate office that could deal with complaints from a workplace health and safety perspective.

Recommendation 4: Guidelines for curbing excessive alcohol consumption in camps and company accommodation based on intoxication, safety and fitness for work and additional support for managing associated issues including mental health and fatigue.

Recommendation 5: Implement state-wide standards for camp accommodation including security, room quality and recreational facilities.

Recommendation 6: Review s19(4) of the Work Health and Safety Act 2011 (Qld) to clarify responsibility for worker health and safety in workers' camps.

Recommendation 7: Employers should provide a fit for purpose employee assistance program (EAP), including during work hours and with an on-site presence that specialises in providing support to victims of sexual harassment.

PREVALENCE, NATURE, OUTCOMES AND REPORTING OF SEXUAL HARASSMENT

WOMEN AND MEN'S EXPERIENCE OF SEXUAL HARASSMENT

Some workers feel that putting up with sexual harassment is part of the job in a male-dominated environment, while other workers claim they are unaware that certain behaviours are offensive or inappropriate when issues are brought to their attention.

Based on the MEU's experience with members, sexual harassment is often a gendered issue. Around half of women respondents (54%) agreed or strongly agreed with the statement: 'Sexual harassment is a problem in the Queensland mining industry' compared with around a quarter (26%) of male respondents.

The MEU's survey of mineworkers shows that experiences of physical and verbal sexual harassment are experienced by women at substantially higher rates than men.

Many male workers claim they've never seen sexual harassment in their years in the industry; some claim it is women who engage in sexual harassment, view attempts to call out offensive behaviour as unreasonable, or don't support women entering the industry.

"Pressure on male employees to act differently (than) in the past or walking on eggshells hoping we are not offending someone." - Male worker

"It's pretty simple get rid of women out of mining, (we) never had this problem years ago." - Male worker

Undoubtedly, there is a cohort of male workers in the industry with outdated views. There are others trying to stand up for a respectful work environment.

"I was asked by a bus driver to fill out a survey. He took my details and then started texting me to go on a date. Then (he) started harassing me on the bus. Male co-workers had to stop him once from grabbing at me as I tried to get off the bus and tell him to leave me alone." - Female worker

While sexual harassment is a gendered issue disproportionately affecting women, sexual harassment and assault also affects men and the MEU have dealt with cases of sexual harassment with male victims.

We are also aware of high rates of bullying and victimisation which is not sexual in nature. Efforts to stamp out sexual harassment should aim to improve safety for all workers.

Recommendation 1. Efforts to stamp out sexual harassment should be extended to include the broader issue of bullying and harassment of workers in the mining industry, which is widespread.

MEU’s survey shows that a proportion of workers are subject to a range of behaviours ranging from physical assault to unwanted sexual advances and inappropriate conversation or behaviour.

Of survey participants, 43% of women and 18% of men said they have experienced or witnessed some form of sexual harassment within the last 12 months.

Type of sexual harassment experienced by survey respondents

Type of sexual harassment	Women	Men
Physical acts of sexual assault	17%	2%
Unwelcome sexual advances, requests for sexual favours, unwanted physical contact	43%	4%
Verbal harassment, intrusive questions	56%	14%
Inappropriate leering, sexual gestures	44%	6%
Indecent exposure	12%	2%
Feeling pressured to engage with someone sexually	21%	1%
Repeated or inappropriate invitations to go out on dates	25%	1%
Inappropriate behaviour via social networking sites, text, email, photos	27%	4%
Unwanted exposure to pornographic material	19%	5%
Sexual favours expected in exchange for promotion, training or improved employment outcomes	16%	2%

Type of sexual harassment witnessed or heard of by survey respondents

Type of sexual harassment	Women	Men
Physical acts of sexual assault	32%	17%
Unwelcome sexual advances, requests for sexual favours, unwanted physical contact	54%	24%
Verbal harassment, intrusive questions	57%	29%
Inappropriate leering, sexual gestures	52%	25%
Indecent exposure	22%	6%
Feeling pressured to engage with someone sexually	32%	8%
Repeated or inappropriate invitations to go out on dates	34%	11%
Inappropriate behaviour via social networking sites, text, email, photos	45%	18%
Unwanted exposure to pornographic material	28%	11%
Sexual favours expected in exchange for promotion, training or improved employment outcomes	36%	17%

The above results show that while sexual harassment does happen to men, it happens at disproportionate rates to women. However, when male participants are asked about sexual harassment that they had witnessed or heard about, rates of sexual harassment reported by men increase significantly as seen above.

It is disturbing that 17% of women reported experiencing physical acts of sexual assault with around one-third of women (32%) reporting that they had heard of other workers experiencing physical acts of sexual assault. About one in eight women have experienced indecent exposure.

Far more commonplace are experiences relating to verbal harassment, leering, inappropriate texting or being propositioned. Men report experiencing and being aware of these forms of sexual harassment at far lower rates.

We note that women in the mining industry tend to be younger and newer to the industry than men. Of our survey respondents, 88% of men had been in the industry for more than ten years compared to just 42% of women.

The survey results reflect a lower awareness among men about different kinds of sexual harassment, which may reflect the different standards that were applied to workplace behaviour in the past.

“Walking in a crib room at change of shift and a guy was asking a chick to show him how she takes a sausage in her mouth and was trying to put it in there by flailing it round her face. They thought it was funny and then asked me the same thing. It was disgusting. Same crews are always talking sexually at work (and it) makes me feel super uncomfortable. If I am ever moved to that crew, I would feel very anxious.” - Female worker

“I was asked several times in the workplace for sexual favours and the supervisor not taking no for an answer.” - Female worker

"Remarks made about ‘hurting their vagina’ on machines. Confidential information being released to the crew from supervisors. Teased for needing to go home to change mid shift because I’d gotten my period because I couldn’t go to the toilet, was told I better not have bled on the seat." - Female worker

"It was a running joke that the digger driver kept asking one of the truckies if he would be good boyfriend material. He is 40 odd and she is 23. She got upset about it all and I spoke to the dude and told him she didn't like the way the talk was going. To his credit he immediately apologised to the lady and all the talk stopped. He wasn't aware that it was making her uncomfortable." - Female worker

Recommendation 2: Continuous education to make sure workers across all demographics understand and recognise sexual harassment in all forms.

AWARENESS AND ENCOURAGEMENT TO REPORT

Exacerbating the high incidence of sexual harassment is confusion and lack of confidence about employer awareness, encouragement to report sexual harassment and support for workers during the reporting process. The MEU survey shows that:

There are mixed responses about whether employers understand the prevalence of sexual harassment on site and in camp.

- Among women, just 38% agree employers understand the prevalence (38% said no and 24% are unsure).
- Among men, sentiments are slightly better, 53% agree employers understand the prevalence (16% said no and 31% are unsure).

Just half of women respondents believe reports of sexual harassment are encouraged, with more than a third believing they are discouraged.

- Among women, 51% said they believe workers are encouraged to report incidents of sexual harassment (35% believe workers are not encouraged to report and 14% are unsure)
- Among men, 73% believe workers are encouraged to report sexual harassment (15% believe workers are not encouraged and 12% are unsure).

When it comes to being supported through the process, the majority of women and men are unsure or negative about whether they would be supported throughout the process when reporting instances of sexual harassment in their workplace.

- Among women, just 22% believe workers are supported throughout the reporting process (40% said no and 38% are unsure)
- Among men, 34% believe workers are supported throughout the reporting process (23% said no and 43% are unsure).

Around one-third of women (32%) don't believe that there are adequate protections put in place at their worksite to deal with sexual harassment, compared with 59% of men.

- Men (59%) were much more likely than women (36%) to believe there are adequate protections against sexual harassment in the workplace. Around one-third of women surveyed said they were not sure.

A significant finding was that the majority of workers (60% overall) believe that contractors are more vulnerable and less likely to report instances of sexual harassment than permanent employees.

These results reinforce the massive and important task facing mining companies of winning workers' confidence and trust to report incidents of sexual harassment. Failing to deal with these risks undoing all of the efforts of mining companies to make the industry more attractive to women.

The MEU has also worked with members who have witnessed colleagues have their employment terminated after raising an issue or complaint with Human Resources, making other workers more hesitant to report or talk about their own experiences.

“The company doesn’t like people who speak up. Recently I lodged a complaint about harassment in the workplace. I have been treated different by management and my reputation is now tarnished for speaking up and I missed out on career promotions because of this. I will not be reporting anything to management in the future. I have also witnessed other females in the workplace being treated poorly after investigations. The culture is extremely bad.” - Female worker

“I was involved as a witness to multiple sexual assaults by a male supervisor on other male workers. There were at least 10 people who came forward who had been assaulted as well as multiple witnesses to vouch for the assaults on these people. It was “investigated” internally by (worksite) and they claimed they found no evidence to support the claims. The supervisor was reinstated and has now been promoted and a number of the accusers and witnesses including myself were victimised, bullied and harassed.” - Male worker

“Sorry companys past n present promote it but on the side jokes openly with the boys’ club and still try that pig acts on the women... time and time again even when an allegation is made and proved to be guilty, nothing happens because the company needs that boss, they’re too short(staffed) ... so another slap on the hand & the culture continues and NEVER changes!” - Female worker

It is clear from the responses that a sizeable number of workers do not feel comfortable reporting instances of sexual harassment for fear of reprisal, lack of support or lack of action, which is why the MEU would like to see the creation of a safe and independent process for workers to report instances of sexual harassment.

Recommendation 3: Creation of an independent reporting process to oversee sexual harassment. We recommend that the Commissioner for Health and Safety would be an appropriate office that could deal with this from a workplace health and safety issue perspective.

WORKPLACE CHARACTERISTICS AND PRACTICES

ALCOHOL CONSUMPTION

Among survey respondents, there are mixed views about the link between illicit drug use or excessive alcohol consumption and sexual harassment.

Overall, 43% of all respondents said there was no link, 23% said there was a link and 34% are unsure.

There are similar responses from both men and women that alcohol consumption is linked to sexual harassment with 25% of women saying it was linked, compared to 23% of men.

“Young girls coming up to me and telling me their experiences that happen on their time off where the step up supervisor expects them to party with them, where drugs and alcohol are involved, including both girls and blokes...” - Female worker

While alcohol consumption does need to be managed in camp environments, a blanket drink limit as imposed by some mining companies may result in other important measures being disregarded, including:

- Responsible service of alcohol (RSA). Responsible service of alcohol principles must be applied in camp wet mess environments, meaning that people are denied drinks based on intoxication or behaviour. A robust RSA framework can avoid the use of drink limits
- Mental health support. Heavy use of alcohol can mask mental health issues in a mining environment. Simply imposing a drinks limit does not address important mental health issues in the workforce
- Rostering and fatigue management. An important factor in encouraging wellbeing of workers is the use of sensible and cautious approaches to rostering. Fatigue can lead to the exacerbating of existing mental health strains for workers, as well as creating broader safety risks. As part of any measures to support workers' wellbeing, consideration should be given to rostering requirements (both daily shift limits as well as time on and off site). This can help to ensure that excessive alcohol use is not a response to deteriorating mental health driven by fatigue and other strains
- Different circumstances depending on shift pattern: Workers need to manage their own fitness for work. Different issues emerge around alcohol consumption during shift changeovers and these circumstances need to be managed accordingly, allowing people to enjoy their free time while preventing any fallout from excessive drinking.

The MEU believes that curbing excessive alcohol consumption in camps and company accommodation should be based on intoxication, safety and fitness for work and additional support for managing associated issues including mental health.

Recommendation 4: Guidelines for curbing excessive alcohol consumption in camps and company accommodation based on intoxication, safety and fitness for work and additional support for managing associated issues including mental health.

QUALITY AND SECURITY OF CAMPS

Residential camps vary in quality and amenities regarding rooms and recreational facilities.

A significant issue is hot bedding and shared rooms at camp. Workers at camps often share rooms and do not have any permanent rooms. This is an issue both for security as workers do not have a permanent or safe place to reside, but also because it makes the relationship between the camp and the worker less valuable. If workers had dedicated rooms, they would be more likely to treat it like a home.

A concern the MEU has about camps is that camps in the Queensland coal regions are often extremely vast, housing 5,000 workers in some camps. Camps can stretch for kilometres between their room and the mess or other locations. It is often the case that contractors and labour hire workers are positioned on the outskirts of the camp. This raises concerns about the safety of workers going to and from areas, such as the mess, laundry area or gym for example.

The MEU survey also demonstrates that there are differences between the view of female and male workers when it comes to where they believe sexual harassment occurs.

Women say sexual harassment is equally likely to occur at camp as at the worksite. 31% of women report that instances of sexual harassment are most likely to happen at camp, compared with 24% of men.

Men say sexual harassment is more likely to occur at social functions. 21% of women believe that instances of sexual harassment are most likely to happen at social functions, compared to 38% of men.

“The culture that ‘What happens at camp, stays at camp’ is prevalent. People who are far away from their homes and families sometimes think that’s enough of a reason to be inappropriate.” - Female worker

“I know many women in the mining industry. Pretty much every one of them says any issues they experience in this area comes at the camps after hours.” - Male worker

“People following me to my camp room/car. Men staring/gawking.” - Female worker

Due to widespread outsourcing of employment and management of workers' camps, there is now often a grey area around who is responsible for workers' safety in the camps. Mining companies don't take adequate responsibility for the health and safety of workers, including contractors, who reside in camp accommodation. This requires further clarification in the *Queensland Work Health and Safety Act 2011*.

With coal prices at all-time highs, it would be a modest investment for mining companies to upgrade camp facilities to support the health and safety of workers.

There needs to be state-wide standards for camps to improve security and prevent sexual harassment. Camps should be required to meet standards regarding access to communications, security, quality of accommodation and access to recreational facilities. Standards should consider things such as lighting in the camps, not only in common areas but along travel paths, a visible and trusted security presence, CCTV and other measures.

“They put posters up and the camp has a walking buddy, extra lighting being put up, screen doors and limited alcohol intake.” - Female worker

A visible and trusted security presence across sites also plays a crucial role in discouraging unwelcome or illegal behaviour. When sexual harassment or assault takes place at a camp, a security officer may be the first person to respond to an event. A security officer appropriately responding to sexual harassment and assault can mean that employers will take action – be it disciplinary or, where appropriate, by referral to police. If security officers respond by dismissing the problem or ‘turning a blind eye’, this allows companies to avoid their responsibility to keep all workers safe.

If security officers do not witness sexual harassment or respond by dismissing the problem or ‘turning a blind eye’, this allows companies to avoid their responsibility to keep all workers safe.

Recommendation 5: Implement state-wide standards for camp accommodation including security, room quality and recreational facilities.

Recommendation 6: Review s19(4) of the Queensland Work Health and Safety Act 2011 to clarify responsibility for worker health and safety in workers' camps.

MENTAL HEALTH ASSISTANCE

The risks of remote work to mental health are well-recognised. Workers are often distant from their families and support networks for long periods of time, creating strains on these relationships and on the mental health of workers. Countless stories have emerged of drug use and family breakdown that have resulted from employers failing to look after their workers.

This plays out in multi-faceted ways for workers who experience sexual harassment. First and foremost, those who experience sexual harassment must be able to access timely and meaningful mental health support through fit for purpose programs to deal with sexual harassment, their union, or through the broader health system. Effective mental health support can empower those who experience sexual harassment to respond and to pursue the appropriate disciplinary channels. Secondly, those who are undertaking conduct that amounts to sexual harassment may be experiencing their own mental health strains, and should also have access to support as required.

All of the large mining companies offer employee assistance programs (EAPs), however they are not fit for purposes. The MEU is calling for a fit for purpose support program that specialises in dealing with sexual harassment.

MEU members experience a range of issues related to accessing mental health support on site:

- Confidentiality. In order to have trust, workers must have certainty that their private experiences will be treated confidentially. Indeed, confidentiality is one of the key obligations of all counsellors, with extremely limited exceptions where a person poses a risk of harm to themselves or others, or information that must be provided through legal processes
- As a general principle, matters that relate primarily to the private life of the individual should not be used to justify breaching patient confidentiality. Workers should also be given the opportunity to respond to employers seeking to share confidential information before it is done, and seek assistance from a union or a trusted person to investigate whether it is truly necessary to breach confidentiality in all but the most exceptional of circumstances
- Accessibility of support programs on site. Most existing programs are only accessible by phone or, at best, video conference, justified by employers because of the remote nature of sites.

However, building the necessary relationship of trust for a successful relationship with a counsellor is very difficult without face-to-face contact.

- Access while working. In acute mental health situations, including sexual harassment, timely support is crucial. Yet many members report being told, while calling their support service, to schedule a time at the end of their shift or when their work swing is over. This can come down to site operation managers being concerned about workers 'not working' while on the clock. But it is absurd to assume that workers can decide when mental health issues arise. Employers should ensure that workers are not discouraged from seeking support when they need it.
- Mental health training for EMOs and first aid officers. Emergency medical officers (EMOs) play a crucial role, particularly for remote sites where hospitals and other health services are not easily accessed. However, members have reported that EMOs are not trained to respond to mental health situations. All EMOs, as well as first aid officers, should be properly trained in mental health first aid.

Recommendation 7: Employers should provide a fit for purpose employee assistance program (EAP), including during work hours and with an on-site presence that specialises in providing support to victims of sexual harassment.

POSITIVE MEASURES TO ADDRESS SEXUAL HARASSMENT

The MEU notes that there were very few responses when respondents were asked about positive measures to address sexual harassment, although some male workers provided some examples.

"Female apprentices given a female contact outside of our work group to discuss and or report any harassment or bullying behaviour that they may receive at work or camp." - Male worker

"'Call it out' program. That empowers people to openly call out acts to abuse." - Male worker

"A young woman on labour hire on my crew was being propositioned by a training provider. She told me as a union representative and in turn we reported it to management. The outcome was swift and positive with the trainer being escorted off site. It was handled quite well." - Male worker

Annexure A: Survey of QLD Mineworkers

A survey of QLD mineworkers was conducted via SurveyMonkey from 30 May until 6 June 2022. It was distributed to MEU members in QLD and promoted on Facebook. 625 workers participated in the survey, including 494 men and 117 women. Respondents included employees of large and small mine operators and labour hire companies, including Anglo American, Batchfire, BHP/BMA, BHP Operations Services, Chandler Macleod, Coronado, Dyno Nobel, Fitzroy, Glencore, Idemitsu, Jellinbah, Mackellar, Macmahon, Mastermyne, One Key, Peabody, Sojitz, Stanmore, Thiess, Undamine, WorkPac and Yancoal.