



27 June 2013

Dear Mr Bennett
Chairperson
Transport and Industrial Relations Select Committee
By Email

CC: Members of the select committee

Dear Mr Bennett

Select Committee appropriations discussion with Minister on forestry safety

I have read the transcript of the discussion between your committee and the Minister of Labour on 6 June regarding the visit he and I made to meet with forestry workers in Rotorua on 2 May this year. It is my view that his account of that visit was very misleading and in fact the workers we met on that visit raised a number of very serious health and safety concerns which the Minister himself acknowledged at the time. In my view, these workers confirmed the opposite of what the Minister reported to you – that the new regulations for forest safety are not addressing the key risks in this industry.

I attach the letters I sent the day following the visit, to both the Minister and the company that arranged the visit - PF Olsen. I have not had a response from either. I am sure the inspectors and MBIE officials that accompanied us on that visit will confirm that the Ministers account is misleading.

These workers, while stipulating that their employer had good terms and conditions for them at work, told us that they believed many workers in the region were working in very dangerous conditions. They talked of workers working in the dark, long hours and without sufficient support. They agreed with the proposition that it was poor employment conditions that were causing the accidents. The workers also expressed a view that some of the contractors being discussed could be working for PF Olsens. Even the employer we visited, handpicked by PF Olsen for the Minister to view, did not appear to have an Employee participation system in place as required by law.

The Minister told your Committee that the workers gave him solid feedback about what the new forestry safety code is doing to change the way they work. It is not my view that this was the feedback at all. While the workers discussed some of their safety practices, they did not refer to the new ACOP as having made any difference.

At the end of the visit, I made it clear we were now all on notice about forestry safety – the inspectors had not systematically inspected for compliance with the law – instead fixated with the new regulations which are faulty and do not include the legal requirement to have an employee participation system, PF Olsen for now having direct information that there were employment conditions operating in the region that the workers considered dangerous, and the Minister who had heard first hand that dangerous work is continuing in the area. My letters reiterate this point.

I was most surprised to see the record of your hearing with the Minister and believe the information we got on the trip should be made known to those on the Committee.

Yours sincerely

A handwritten signature in black ink that reads "Helen Kelly". The signature is written in a cursive, flowing style.

Helen Kelly
President