

27/08/2012

To The House of Representatives Standing Committee on Education and Employment

RE; Submission - Inquiry into Work place Bullying

I am writing to you as I believe that I am a Victim of disability and Sex discrimination in the workplace. Including, Victim of Bullying.

In the following incidents I will show you a trend, a culture that exists within the NT Work Safe. Explain how they were made aware of serious incidences in my workplace and did nothing.

How the NT ombudsman cancelled my complaint via an email after two days of receiving it

How I tried to seek help from members of parliament

Making an official complaint with the Commissioner for public interest disclosures on the 28/6/2012, to find out why NT Work Safe had not returned my emails or calls regarding the following to matters I have outlined in this letter. I still don't have answers from the commissioner's investigation.

This is my Story..

- First contact with NT Work Safe regarding Work place Bullying.

advise she was not able to help me due to it being an “Individual “matter and I was to seek legal advice in January. also advised me to seek legal advice as he felt I had a Civil Case. **Emails are available if requested**
- Secondly, I approached Fair Work ombudsman and they told me that NT Work safe should be assisting but to contact them again if NT Work Safe are not responding. Fair work have given me a case number so I can complete a complaint form if needed
- Thirdly I approached a member Electorate Arnhem - Malarndirri McCarthy and the responses was via email stating that they can't get involved and were too busy to meet with me. Also that I should Contact Fair Work Ombudsman. **Emails are available if requested**
- Finally on the 4th of April, I received an email from - Team Leader from NT Work safe regarding my request for regulator response to a complaint of workplace harassment at your current/previous place of employment.

The email had attachment, it was questionnaire_worker_whs_psychosocial_issues[1].doc

- I completed all questions and email all documentation that they required on the 6th of April 2012
- As there was no feedback, I called the NT work Safe Office on the 19th of April 2012 to speak with . She was not available, so I left a message for her to call me back regarding emails that I have sent her and .

I have had **NO more correspondences from NT WorkSafe**, after the 4th of April 2012.

Bullying in the Workplace

I have been a victim for 12 months and a witness, Male co workers bully and harassed Female employees at _____ mine site.

August 2011, I took time off work due to verbal Harassment I received over the Mine site Radio channel over 6 months and was a witness to Physical violence. I returned to the workplace only to be hospitalised on the 9th January 2012 from work place stress and anxiety. This was after I was stood down by the employer, when I had reported the sex discrimination.

(Police statement regarding the Violence and Personal Diary of events/ bullying that occurred are available if requested)

I was taken to Katherine hospital from the Workplace camp accommodation in _____, by the work place paramedics.

Whilst I was in Hospital I received email from my Workplace HR department, stating that I they feel that I had abandon employment. (Email is available, if requested). I believe this mounts to disability discrimination as well as Bullying.

- The work place _____ did not actively lodge a notification form of an incident with NT WORKSAFE of injury in the work place that lead to a person being hospitalised.
The Work Health Act requires every work place to inform NT Worksafe.
- Weeks prior to being hospitalised, I requested Help from NT Worksafe regarding Bullying in the Workplace. But my cries for Help fell on deaf ears. NT Worksafe never called until I was out of Hospital to inform me, that they were unable to investigate the work place

Major Incident

First contact with NT work safe was a phone call to the afterhours line and spoke with [redacted] 26/12/2011. I called NT work safe as my current employer at the time was making workers travel out to the mine in buses to work during a cyclone GRANT in Dec 2011.

My partner [redacted] also Email [redacted] outlining the conditions at work and advising [redacted] that he did not go to work due to dangers of a active cyclone. [redacted] never received a email back [redacted] is willing to forward this email if requested

About 2 Weeks later, I was finally contacted by [redacted] after sending emails. After given all details of the circumstances, I was advised by [redacted] that he will be investigating into the matter. [redacted] also suggested that it is a very serious incident due to past history of a miner drowning after driving into a flooded river at the MT Todd mine Near Katherine NT. Also that he will keep me informed of the outcome. [redacted] quoted that he knew the safety rep of [redacted] and Superintend, [redacted] very well.

Month later, I had to call [redacted] to see how the investigation was travelling. He advised the outcome was that, the workplace did an investigation. He felt that was enough even though he seemed very concern. At no stage did [redacted] ask me or [redacted] (My partner) for a statement.

I believe the nature of the incident possibly could have had catisstrofite outcomes with death of employees by crossing swollen rivers in buses, in the middle of an active cyclone. During this same cyclone the Train was derailed at Edith River, NT due to crossing the Edith River whilst it was in Flood. Only 100km away from mine site.

- The matter **was “Hushed”**, due to which I believe a personal buddy relationships between NT work safe and [redacted] employees. This shows the Staff culture within NT Work Safe.

NT Worksafe is not interested in protecting or assisting the employee's at
with Bullying Matters, Sexual or Disability Discrimination. It would seem
that NT Worksafe staff have disregard my matter once again, hoping that I will forget
about what happened to me and other co workers.

If it was not for my Partner, I would not be here today to tell my story. He also
witnesses the Bullying and Harassment in the work place, as he was a co worker as
well.

I am hoping this letter and evidence, will give the Australian Government an
understanding as to what options the victim of bullying in a workplace has within the
Northern Territory. The Mining sector is still very much a bloke's world in the
Northern Territory and Women are not accepted.

The current human rights laws allows companies to walk away from these issues,
paying a small compensation payout, as the victims are unable to pay the high cost
to take it to the Supreme Court. The victim's are asked to sign a hush letters / deed.
In most cases the company will not accept liability on their own, without court of law
proving liability. What an insult to the victim's!!

Northern Territory Government bodies are not protecting the victims in the
workplace, only the Bullies in my case. Insurance compensation companies need to
investigate bullying claim's more thoroughly, so victims can receive support that is
needed as well

I would like to see _____ and NT Worksafe be made
accountable for their actions, in NT Worksafe case NO Action's.

Also government review's for changes to the current laws/ legislations.

Regards

Northern Territory