

## **Offshore Alliance: Further Submissions in relation to specific findings of the 2023 Review into the Construction Industry Portable Paid Long Service Leave Act 1985**

The Offshore Alliance (**Alliance**) is an alliance of The Australian Workers' Union and the Maritime Division of the Construction, Forestry and Maritime Employees Union.

The Alliance seeks to make further submissions to those made by the Union on 11 January 2022. The Alliance notes that although the Alliance filed submissions to this Review on 11 January 2022, these submissions were not referenced in the report or listed with the other stakeholders.

The Alliance makes the following additional submissions.

### **Recommendation 1B: Clarify Ambiguity for Specific Cohorts of Workers**

The Offshore Alliance seeks the legislative framework to be broadened to ensure that all workers who undertake commissioning, decommissioning and inspection activities in the hydrocarbons sector are covered by the *Portable Paid Long Service Leave Act 1985*.

The Offshore Alliance supports electrical trade workers who conduct commissioning and decommissioning activities being covered by the Act, but believes that mechanical and metal trades, along with crane operators, riggers, scaffolders, rope access workers, service technicians, trades assistants and painter blasters, should also be covered. It would be anomalous for this cohort of workers to be excluded.

It is anticipated that there will be \$50bn of decommissioning work in the offshore oil and gas industry over the next 30 years. The work involves similar activities to those performed by offshore construction workers and offshore maintenance workers engaged on offshore platforms and non-propelled barges. There will also be extensive decommissioning of onshore facilities which include the aforementioned trades and sub-trades.

Similarly, commissioning work is an integral part of oil and gas facilities or brownfield projects coming online. There is often a grey line in determining where construction activities end and commissioning commences, and when commissioning ends and production/maintenance activities commence. In any event, the commissioning of new oil and gas facilities or new plant or processes on existing facilities should all be workscopes covered by the Act.

Again, it would be anomalous for commissioning activities to be excluded from the Act as there is little distinction between the skills required in the construction and the maintenance phase of bringing new plant, processes or facilities online.

Further to this, the Alliance is seeking AICIP Inspectors, Plant Inspectors, Tank Inspectors, Welding Inspectors, Marine Inspectors, NDT inspectors and NACE inspectors be included in the cohort of employees covered by the Act. These workers conduct integrity and statutory inspections of pressure vessels, pressure piping and tanks, which is integral to the ongoing maintenance of offshore facilities,

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and all offshore and onshore hydrocarbon facilities have ongoing work scopes with employees who are rostered to undertake inspection work.

The work of AICIP Inspectors, Plant Inspectors, Tank Inspectors, Welding Inspectors, Marine Inspectors, NDT inspectors and NACE inspectors is vital for identifying and addressing potential issues such as corrosion, material degradation, and fatigue that may compromise the structural integrity of these vessels and facilities over time. The rigorous inspection protocols on oil and gas facilities are integral to reducing the risk of catastrophic failures, protect human lives, and safeguard the environment.

This inspection work differs to ad hoc inspection work which is not part of the daily maintenance regime of hydrocarbons facilities. The Alliance is seeking that employees engaged in the inspection of pressure vessels, boilers, pressure piping and tanks, including employees engaged to undertake rope access duties, along with employees required to interpret Non-Destructive Tests, be included in the cohort of employees covered by the Act.

Finally, the Offshore Alliance believes that employees should accrue My Leave contributions for all periods of annual leave. Employees who take longer periods of annual leave are being disadvantaged in comparison to employees who take their annual leave in shorter periods.

On a positive note, the Union is pleased to see the recommendation to amend the definition of 'construction work' by removing of the current exclusion relating to construction work on a ship.<sup>1</sup> This is an initiative which will be welcomed by thousands off offshore construction and maintenance workers.



**Brad Gandy**  
**WA Branch Secretary**  
**The Australian Workers' Union**



**Will Tracey**  
**WA Branch Secretary**  
**Maritime Union of Australia**

**27 August 2024**

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<sup>1</sup> Recommendation 1B