



**TRAFFIC MANAGEMENT  
ASSOCIATION OF  
QUEENSLAND INC.**

**QUARTERLY  
NEWSLETTER**

**5TH EDITION MARCH 2011**

## **PRESIDENT'S REPORT**

The 2011 Traffic Management year commenced with the announcement that over 100 businesses (including Traffic Control Companies, Councils, Contractors, Utilities, Electricity, and other road services) had completed their Registration for Traffic Management. The Registration scheme went 'live' on 1 February 2011, and all TMAQ members are fully or provisionally registered under the scheme with strict timeframes for those provisionally registered to be finalised for full registration.

TMAQ is proud to have been part of the initial proposal and a supportive association as the implementation process for the Registration Scheme has unfolded since June 2010. I would like to take this opportunity to congratulate and praise the 'above and beyond' efforts of Coryn Hedges and her team, particularly Ailsa Rix, for the swift and thorough feedback, review and implementation of this scheme. The professionalism with which queries were handled is a credit to the Department of Transport and Main Roads in Queensland and to Coryn and her team. It is important to note and thank Minister Craig Wallace for his ongoing support of the Registration Scheme and his 'open door' policy for the TMAQ to discuss relevant issues and suggested solutions for our industry. We look forward to working closely with Minister Wallace during 2011.

On the radar for 2011, is a National Association application, further national training program development and an updated Approved Procedures document. The TMAQ will be part of feedback and industry forums to ensure the Traffic Control industry voice continues to be heard in the development of policy and procedures.

I would also like to thank Craig Moss and his team for their ongoing support and information provision of the latest training procedures and course availability. As we progress through 2011, it is anticipated further course restructures will take place and the TMAQ will be on the front foot with this information.

To our members and indeed to all in the Queensland Traffic Management industry I offer our sincere condolences for any losses that occurred during the recent devastating floods. The impact on many individuals, both personally and in business has been profound and for many, long term. The TMAQ will continue to support both its members and the industry as we begin the task of rebuilding Queensland.

Dan Crowley  
President



## **UPDATE ON THE TRAFFIC MANAGEMENT REGISTRATION SCHEME**

Firstly, I would like to thank you for your support and understanding as my team has worked our way through the processing of over 120 applications. As at 23 February 2011, the scheme had received 122 applications and approved 102 of these. Of the 122, 62 are from Traffic Management Companies, 38 are from Local Governments, 1 from the State Government (RoadTek), 15 from the Construction Industry, 2 from Public Utilities or Electricity Providers and 4 from other industry (such as agriculture firms). These statistics are of course at a particular point in time and change on a daily basis.

The public register of approved Traffic Management Companies can be found on the Department of Transport and Main Roads website:

Go to [www.tmr.qld.gov.au](http://www.tmr.qld.gov.au) and follow the links to Business and industry > Accreditations > Traffic Management Registration Scheme, to view the Traffic Management Registration Scheme page.

<http://www.tmr.qld.gov.au/Business-and-industry/Accreditations/Traffic-Management-Registration-Scheme.aspx>

In December last year, local government mayors and traffic management companies already known to the department were contacted directly about the scheme. This information was provided to raise awareness about the scheme and how to participate, and also to encourage local government and industry involvement.

You may have also seen newspaper advertisements in your local papers and in the Courier Mail during December last year and January this year. These advertisements successfully generated interest in the scheme from a wide range of additional organisations and industry sectors - requests for further information were received from as far away as Western Australia.

The Traffic Management Registration Unit is continuing to work closely with local government and traffic management companies to assist them with their application process. We will be writing to all registered companies over the next couple of weeks to advise them of the next steps in the process, and additionally to companies that are provisionally registered to confirm what information remains outstanding.

As always, if you have any questions or have any feedback for me as you and your teams bed down the scheme requirements, please let me know. The email address for the scheme is [tmregistration@tmr.qld.gov.au](mailto:tmregistration@tmr.qld.gov.au) or the team's contact numbers are

Coryn Hedges  
Manager (07) 3834 5103

Ailsa Rix  
Project Officer (07) 38343881

Coryn Hedges  
Manager (Traffic Management Registration)  
Department of Transport and Main Roads

## **WHEN ALL THE WATER HAS GONE...**

The floods of the past week have caused enormous damage to many homes, businesses and much personal property which will take weeks, if not months to clean up, repair and rebuild.

While many struggle to come to terms with the damage the rising water caused, employers are forced to face the reality of a managing a workforce through the crisis. Specifically, employers must be aware of their ongoing occupational health and safety (OH&S) obligations and industrial relations obligations regarding leave entitlements while in the process of recovery.

### **Occupational Health and Safety**

There are a number of OH&S obligations that employers must be aware of as they return to work. In some instances employers have temporarily relocated their premises to ensure that their business can continue to operate during the clean up period. Employers must understand that their OH&S obligations to provide and maintain a safe workplace extend to any premise that employee's are directed to work from. Accordingly, employers have a duty to conduct risk assessments of any temporary worksite so that employees can be assured that it is safe to attend work.

Where employers require employees to attend work for the purpose of cleaning, they must first ensure that any activity engaged in by an employee while cleaning is safe. For instance, where an employee will be required to use chemicals for cleaning, their employer must ensure the employee has been supplied with the necessary personal protective equipment to ensure they can use the chemicals safely. Further, employers should take extra care and have all electrical equipment that may have been affected by water assessed by a qualified electrician before allowing anyone to use the equipment.

Failure to maintain a safe workplace may result in unnecessary injuries being sustained by employees. In severe cases, injuries sustained during the clean up may result in some employees making workers compensation claims against their employer.

### **Leave Entitlements**

Employers are also facing pressure from employees to provide paid leave while their workplace is closed due to flood damage, or so that employees can assist in the clean up effort and to care for children and family members. However, not all employees are entitled to paid leave. The Fair Work Act 2009 provides a number of options that employers may consider to be able to provide their employees with paid or unpaid leave during these uncertain times.

### **Annual Leave**

The most common option for employees wanting to take leave following the floods is to take annual leave. As long as an employee has accrued annual leave their employer cannot refuse to allow the employee to take annual leave where the request is reasonably made.

Further, some employers may be able to direct employees to take annual leave depending on the industrial instrument or employment contract in place. Employers should note however, they are only required to pay an employee for accrued annual leave.

### **Carer's Leave**

Employees accrue 10 days paid personal/carer's leave per annum which can be taken at any time. Once an employee has used their 10 days paid personal/carer's leave, the employee will still be able to take personal/carer's leave, however the leave will be unpaid and can only be taken for 2 days per occasion.

If an employee is unable to attend work as a result of an unexpected emergency, such as a natural disaster, because they are required to stay at home and care for a member of their immediate family, or a member of their household, the employee may take paid carer's leave. Employers should note some parents who are required to keep their child home from school because the school flooded, may be able to take carer's leave.

### **Community Service Leave**

Where an employee requests leave from work to assist in the recovery effort the employee may be able to take unpaid leave, known as 'Community Service Leave'.

Community Service Leave is the right to be absent from work to engage in, travel to, or recover from, participation in an eligible community service activity. However, Community Service Leave may only be taken for the purpose of engaging in an eligible community service activity, such as assisting the SES, the Red Cross, the RSPCA, the Rural Fire Brigades Association of Qld or a surf life saving association, in a natural disaster.

### **Stand Down**

Finally, under the Fair Work Act 2009, an employer may be able to 'stand down' their workforce without pay. An employer may generally stand down their workforce, without pay, where the employer cannot usefully employ their employees because of a stoppage of work for which the employer cannot reasonably be held responsible for, such as a natural disaster. However, before an employer stands down their workforce it is important they check the applicable award or industrial instrument to ensure there is not a provision for paid leave in the event that inclement weather prevents an employee from attending work.

Employers with any questions regarding their industrial relations obligations following the flood crisis should contact Jonathon Hadley on (07) 3002 8722.

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## LEARNING AND DEVELOPMENT - IT IS MORE THAN JUST TRAINING.

The last couple of years, the Traffic Management Industry has realised the need for structured, consistent training at a number of levels. This has been driven by a combination of government and industry led strategies and supporting regulatory requirements such as the Code of Practice and the MUTCD Part 3. The introduction of Competency Based Training to the industry has provided a framework by which we can move forward to not only meet compliance requirements, but ultimately to work towards having a more competent workforce. As competency based training is a new innovation for the traffic management industry in Queensland, it is timely to provide advice to ensure all parties have a consistent understanding of this strategy.

Firstly, what does it mean to be competent? The MUTCD Part 3 (clause 1.4.3) provides the following definition of a competent person:

*A person who has, through a combination of training, qualification and experience, acquired knowledge and skills through enabling that person to correctly perform a specified task.*

Attendance of a training course does not make a person competent. The formal training provides the candidate with the "underpinning knowledge" that must then be put into practice in the work environment. By working along side staff who are already competent, the candidate will further learn by observing, assisting in and doing the required tasks repeatedly over a period of time. Once the candidate has demonstrated that they can satisfactorily perform the task consistently and independently, they can be deemed competent.

To achieve robust outcomes, employers must be actively engaged in the learning and assessment process. Employers need to:

- work in partnership with the training provider to ensure training meets the needs of the employer and the student
- have clear expectations of the range of tasks and required performance levels
- communicate these expectations to supervisory staff and the training provider
- nominate appropriate staff to sign any third party reports (generally the supervisor on site).

Employers also have an obligation to:

- provide a healthy and safe training environment for all staff
- provide adequate supervision and support during training
- commit resources necessary to complete agreed training
- provide work activities that support the training outcomes

There are currently a number of misconceptions doing the rounds throughout industry. The following points are to clarify a number of issues.

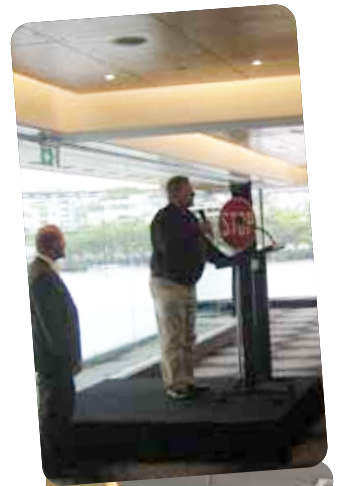
- Attending the Level 2 Theoretical training does not make a person competent as required in the MUTCD Part 3 – they need to be assessed as competent against 30864QLD
- A person signing off a Third Party Report for Level 2 does not need to have Level 2 or higher themselves, but they must have a good understanding of the work task being performed.
- Recognition of Prior Learning (RPL) is not permitted.
- Level 1 Traffic Management training is not, never has been and never will be the Traffic Control licence. It is a roadside awareness for new entrants to industry.

If you have any training related questions or comments, please contact Technical Training Solutions: [tech.training@tmr.qld.gov.au](mailto:tech.training@tmr.qld.gov.au)

Craig Moss - Principal Manager (Training & Development)  
(07) 3002 8722.

# TMAQ CHRISTMAS LUNCH 2010

Close to 100 people joined guest speaker Michael Kasprovicz and President Dan Crowley as they entertained members, suppliers and guests alike in December 2010. Held in the plush surroundings of the Queensland Rugby Club in the city overlooking the Brisbane River, the Christmas lunch provided an opportunity for all to enjoy an end of year celebration in style. At this lunch, the inaugural Golden Stop/Slow Bat for outstanding support, commitment and participation in TMAQ meetings, events and goals was introduced. The first recipient of this award was Ron Edwards, from Aaction. Congratulations Ron.



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## DATE CLAIMER- MEETINGS & EVENTS FOR 2011

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6 January 2011  
3 February 2011  
3 March 2011  
7 April 2011  
5 May 2011  
2 June 2011  
7 July 2011  
29 July 2011  
4 August 2011  
8 September 2011  
6 October 2011  
3 November 2011  
1 December 2011  
21 December 2011

Meeting - Ballymore  
Meeting - Ballymore  
Meeting - Ballymore  
Meeting & Lunch  
Meeting - Ballymore  
Meeting - Ballymore  
Meeting - Ballymore  
TMAQ Golf Day  
Meeting  
AGM & Meeting & Lunch  
Meeting - Ballymore  
Meeting - DTMR  
Meeting - Ballymore  
Christmas Lunch

