

29 September 2006

COMMUNIQUÉ FROM AUSTRALIAN, STATE, TERRITORY AND NEW ZEALAND WORKPLACE RELATIONS MINISTERS

The Workplace Relations Ministers' Council (WRMC) met in Melbourne on 29 September 2006.

Ministers discussed national workplace relations issues, including the implementation of the Australian Government's WorkChoices reforms. Ministers noted the ongoing education campaign and service delivery arrangements associated with WorkChoices, and discussed the report of the Award Review Taskforce, the activities of the Australian Fair Pay Commission, the Unlawful Termination Assistance Scheme, the operations of the Office of Workplace Services and funding of legal services providing employment related advice.

There was agreement that officials would continue to discuss the interaction of the WorkChoices reforms and State and Territory legislation.

Ministers noted the progress of the Australian Government's independent contractors legislation through the Federal Parliament and noted the many differences in definition of employees across Federal, State and Territory employment related legislation. State and Territory Ministers were informed that provisions under existing State and Territory legislation for contracted outworkers in the textile, clothing and footwear industry and owner drivers in the road transport industry would be retained. Western Australia signalled its intention to introduce legislation relating to owner drivers in the road transport industry. Protections for young workers were also discussed.

Ministers also discussed Occupational Health and Safety (OHS) issues and the work of the Australian Safety and Compensation Council (ASCC). Ministers agreed that the following principles were intrinsic to WRMC's work on OHS harmonisation at the request of COAG:

- i. a tripartite approach
- ii. compliance
- iii. resources
- iv. ensuring protections are not reduced.

In addition, Ministers agreed that:

- the work of the ASCC would be subject to these principles;
- Recognising this, the four principles will not be used to delay the COAG work; and
- The four principles will not alter what COAG agreed for OHS harmonisation.

In discussing the ASCC's National Standards and Harmonisation project, Ministers agreed on strategies to advance a national OHS framework. Ministers also agreed to consider, out of session, a report to the Council of Australian Governments (COAG) by

the end of 2006 on the implementation of reforms identified by the National Standards and Harmonisation project.

Ministers discussed resource and compliance implications of nationally consistent uniform safety laws and agreed to future discussions between officials.

Ministers were informed that the ASCC would review its OHS and workers compensation working groups in October 2006.

Ministers endorsed for publication the *Comparative Performance Monitoring Report, Eighth edition* and the *Comparison of Occupational Health and Safety Arrangements in Australia and New Zealand, Fourth Edition*.

A paper on research conducted into workers compensation law and its application to psychological injuries was noted by Ministers. Ministers agreed to increase efforts in all jurisdictions to prevent psychological injuries and promote rehabilitation strategies within existing legislative frameworks.

Ministers acknowledged the role of the ASCC in providing national leadership on the management of psychological injuries in the workplaces.

Ministers noted legislative and policy developments concerning workplace relations and OHS in all jurisdictions.

Ministers noted that COAG has asked the Ministerial Council on Immigration and Multicultural Affairs to investigate and report on co-operation measures to enhance the effectiveness, fairness and integrity of temporary skilled migration arrangements. Ministers discussed the interaction between workplace relations legislation and migration arrangements, including compliance issues.

Ministers discussed the importation of illegal fireworks with Minister Andrews undertaking to raise this issue with the Federal Customs Minister.

Attendees included:

- The Hon. Kevin Andrews MP, Minister for Employment and Workplace Relations (Cth)
- The Hon. John Della Bosca MLC, Minister for Commerce and Minister for Industrial Relations (NSW)
- The Hon. John Bowler MLA, Minister for Employment Protection (WA)
- The Hon. Rob Hulls MP, Minister for Industrial Relations (VIC)
- The Hon. John Lenders MP, Minister for WorkCover (VIC)
- The Hon. Steven Kons MHA, Minister for Industrial Relations (TAS)
- The Hon. Michael Wright MP, Minister for Industrial Relations (SA)
- Mr Andrew Barr MLA, Minister for Industrial Relations (ACT)
- The Hon. Paul Henderson MLA, Minister for Public Employment (NT)
- The Hon. John Mickel MP, Minister for Employment, State Development and Industrial Relations (QLD)

Apologies:

The Hon. Ruth Dyson, Minister of Labour, New Zealand.