

1 February 2008

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

The 75th meeting of the Workplace Relations Ministers' Council (WRMC) was convened in Melbourne on 1 February 2008.

Ministers were unanimous in their support for WRMC being a vehicle co-operatively to pursue practical national solutions on workplace relations, occupational health and safety and workers' compensation issues.

Ministers noted a progress report from the Deputy Prime Minister on the development of legislation to commence the implementation of workplace relations arrangements detailed in the Federal Government's *Forward with Fairness* and *Forward with Fairness Policy Implementation Plan*. The legislation, which will be introduced in the first sitting week of 2008, will:

- prevent the making of Australian Workplace Agreements (AWAs);
- create a new form of individual agreements (Individual Transitional Employment Agreements) for limited use during the transitional period;
- put in place a no-disadvantage test for all new agreements; and
- enable the Australian Industrial Relations Commission to undertake the award modernisation process.

Ministers also noted the Federal Government's intention to introduce further legislation to implement its substantial workplace relations reforms into Parliament in 2008 and welcomed the Government's commitment to engage actively with States and Territories in developing the legislation. Key features of the legislation will be ten legislated National Employment Standards, the formation of a modern award system, the introduction of a new collective bargaining framework as well as the creation of new unfair dismissal laws and the establishment of a new independent umpire, Fair Work Australia.

The new workplace relations system will be fully operational from 1 January 2010.

Ministers also discussed award modernisation and noted the integral role modern awards will play in the new workplace relations system. States and Territories welcomed this important development and offered to assist the award modernisation process, and noted the potential for State industrial tribunals to assist the Australian Industrial Relations Commission.

Ministers discussed options for achieving a genuinely national, uniform and stable workplace relations system. Ministers endorsed *Forward with Fairness* as providing the basis for a modern, fair and flexible workplace relations system and in that context noted the Williams report. Ministers agreed to engage actively on the development of the Federal Government's substantive workplace relations reforms. Ministers agreed to create a high level officials group to collaborate on the development of the new system and its interface with State systems.

Ministers also discussed occupational health and safety (OHS) issues and the Australian Safety and Compensation Council (ASCC). Ministers noted the Federal Government's commitment to working cooperatively with the States and Territories to harmonise OHS laws and agreed that the use of model legislation is the most effective way to achieve harmonisation of OHS laws. Ministers supported the Commonwealth's intention to initiate a review to develop model legislation and agreed to settle the terms of reference for the review, including priority areas for attention, by 15 February 2008.

Ministers discussed the review of the Comcare scheme and were updated about the progress of the review by the Deputy Prime Minister. Ministers agreed to further collaborate on safety inspection arrangements under Comcare.

Ministers agreed to replace the ASCC with a new and independent national body and for further work to be undertaken on the membership and funding model for the new body.

Ministers were provided with a copy of the comparative performance monitoring report which the ASCC recommended to the WRMC for endorsement. Ministers endorsed the report.

Ministers endorsed the ASCC's Business Plan for the 2007-08 financial year with some amendments.

Ministers agreed to convene another meeting of the WRMC in the next few months.

Attendees included:

- Deputy Prime Minister Julia Gillard MP, Minister for Employment and Workplace Relations (Cth)
- The Hon Rob Hulls MP, Minister for Industrial Relations (VIC)
- The Hon John Della Bosca MLC, Minister for Industrial Relations (NSW)
- The Hon John Mickel MP, Minister for Employment and Industrial Relations (QLD)
- The Hon Tim Holding MP, Minister for WorkCover (VIC)
- The Hon Michelle Roberts MLA, Minister for Employment Protection (WA)
- The Hon Michael Wright MP, Minister for Industrial Relations (SA)
- Mr Andrew Barr MLA, Minister for Industrial Relations (ACT)
- The Hon Trevor Mallard, Minister of Labour (NZ) (*observer only*)

Apologies:

- The Hon Steven Kons MHA, Minister for Industrial Relations (TAS)
- The Hon Delia Lawrie MLA, Minister for Public Employment (NT)