

5 August 2005

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

The Workplace Relations Ministers' Council (WRMC) met in Melbourne today.

Ministers discussed the Australian Government's workplace reform plan and noted that legislation would be introduced in the Spring sittings of the Parliament. The Commonwealth Minister again sought a referral of powers by the States. The States and Territories expressed their concerns and objections to the proposed workplace relations framework. The Commonwealth undertook to continue consultations.

Minister Andrews outlined the changes to the National Code of Practice for the Construction Industry and the associated Guidelines and the consequent impact on the building and construction industry. The Ministers noted that the revised Guidelines would take effect on 1 October 2005.

Minister Andrews advised the Council of the appointment of the Federal Safety Commissioner (FSC) and of the work programme of the Office of the FSC. Ministers noted the initiative and agreed on the need to continue consultation with states and territories on the work of the FSC with a view to avoiding duplication between the FSC and State/Territory bodies.

The Council noted key workplace relations developments federally, in the States and Territories and New Zealand, including the 2005 Safety Net Review decision, workplace surveillance laws in New South Wales and amendments to Queensland's *Industrial Relations Act 1999*.

Ministers noted the developments in the harmonisation of workplace advisory and compliance services, and approved the publication of the *Benchmarking of Commonwealth and State Workplace Relations Inquiry and Compliance Services 2003-2004*. The Council also noted the dual appointments to the Australian Industrial Relations Commission and the State industrial tribunals.

Minister Andrews informed the Council about the processes for the establishment of the Australian Safety and Compensation Council.

Ministers endorsed the recommendations contained in the Report on the First Triennial Review of the National OHS Strategy 2002-2012, noting a key future focus on education programmes.

The Council noted the December 2004 *Report by the National Occupational Health and Safety Commission to the Workplace Relations Ministers' Council on the Implementation of National Occupational Health and Safety Standards* and agreed that the recommendations be included when considering work for the Australian Safety and Compensation Council.

The Ministers endorsed the declaration of the Approved Criteria for Classifying Hazardous Substances the National Standard for Construction Work. Ministers also agreed in principle to a staged approach for the revision of the National Certification Standard and Guidelines. The Council considered and endorsed the 2004 Major Facilities Annual Situation Report.

Ministers endorsed the National Occupational Health and Safety Commission's declaration of the revised *Code of Practice for the Safe Removal of Asbestos*, the new *Code of Practice for the Management and Control of Asbestos in Workplaces* and publication of the revised *Guidance Note on the Membrane Filter Method for Estimating Airborne Asbestos Dust*.

Ministers noted that Minister Andrews would write to the Minister for Justice and Customs seeking that *in situ* asbestos goods be added to the list of prohibited imports and agreed that for the purposes of implementing the prohibition, that Customs' profiling apply to goods classified under relevant tariff sub-headings.

Ministers considered a Progress Report from the Working Party on the Proposed Importation Ban of Explosives, Including Fireworks, Without a Permit.

Council considered the handling of psychological injury claims. Ministers referred the issue of establishing a nationally consistent approach to the ASCC. Ministers noted issues relating to the impact of an aging workforce on personal injury compensation arrangements and agreed to the ASCC further examining these issues.