

3 April 2009

**COMMUNIQUE FROM AUSTRALIAN, STATE, TERRITORY AND  
NEW ZEALAND WORKPLACE RELATIONS MINISTERS' COUNCIL**

Today's 80th meeting of the Workplace Relations Ministers' Council (WRMC) held in Adelaide resulted in substantial progress towards a national workplace relations system for the private sector and harmonised occupational health and safety (OHS) arrangements.

Ministers welcomed the passage of the Fair Work Bill through the Federal Parliament and the introduction of the transitional and consequential arrangements that will ensure a smooth transition to the new workplace relations system. Ministers noted that the new independent umpire Fair Work Australia will be 'open for business' by 1 July 2009.

In terms of progress on a national workplace relations system for the private sector, the Acting Prime Minister welcomed the Victorian Government's recent commitment to make a new referral of industrial relations matters to the Commonwealth to commence from 1 July 2009. Ministers endorsed the continuation of discussions between Commonwealth, state and territory officials on possible referrals to the Commonwealth and agreed to work towards finalising these arrangements at the June meeting, with a view to state referrals operating from 1 January 2010.

Ministers agreed to a process to prioritise the consideration of International Labour Organisation conventions for ratification. Ministers identified several conventions such as the *Maritime Labour Convention 2006* and the *Protocol 2002 to the Occupational Safety and Health Convention 1981 (Protocol 155)* as priorities.

Ministers were also briefed on the findings of the Wilcox Review. Ministers agreed to ask the Commonwealth/State High Level Officials' Group to meet to discuss Mr Wilcox's recommendations and his recommended revision of the Australian Government Implementation Guidelines (the Guidelines) for the National Code of Practice for the Construction Industry (the Code).

In an important next step in the process of OHS harmonisation, Ministers agreed that the Safe Work Australia Council commence developing the model OHS Act in order to provide an exposure draft of the Act in August. Ministers agreed to resolve any outstanding policy issues in May.

Ministers noted the establishment of the Council of Safe Work Australia (the Council) and the consequential abolition of its predecessor, the Australian Safety and Compensation Council (ASCC). Ministers welcomed the Acting Prime Minister's call for nominations for members of the Council and noted that appointments would be confirmed shortly. Ministers noted the creation of Safe Work Australia, the independent body that will support the Council. The Council is likely to meet for the first time in late April. More information about the Council and Safe Work Australia is available at [www.safeworkaustralia.gov.au](http://www.safeworkaustralia.gov.au)

Ministers endorsed the report by the ASCC on its *Business Plan 2007-2008* and the annual report on progress under the *National OHS Strategy 2002-2012*. Ministers

acknowledged the contribution made by the ASCC and thanked the Council members for their involvement. In particular, Ministers expressed their appreciation of Mr Bill Scales' efforts as Chair of the ASCC.

Ministers agreed to publication of the *Australian Code for the Transport of Explosives by Road and Rail, 3<sup>rd</sup> Edition*. Ministers also agreed that the Safe Work Australia Council will consider the issue of having nationally consistent explosives legislation and oversee the related work of the Australian Forum of Explosives Regulators.

Ministers noted concerns raised on behalf of the Western Australian Minister regarding the reduction of the sample size of the Australian Bureau of Statistics (ABS) Labour Force Survey in 2008. Ministers endorsed the Western Australian Minister's suggestion that they bring any concerns they may have on this issue to the attention of the Assistant Treasurer.

Attendees included:

- Acting Prime Minister the Hon Julia Gillard MP, Minister for Employment and Workplace Relations (Cth)
- The Hon Paul Caica MP, Minister for Industrial Relations (SA)
- The Hon John Hatzistergos MLC, Minister for Industrial Relations (NSW)
- The Hon Joseph Tripodi MP, Minister for Finance (NSW)
- The Hon Martin Pakula MP, Minister for Industrial Relations (VIC)
- The Hon Tim Holding MP, Minister for WorkCover (VIC)
- The Hon Cameron Dick MP, Minister for Industrial Relations (QLD)
- The Hon Lisa Singh MP, Minister for Workplace Relations (TAS)
- The Hon Robert Knight MLA, Minister for Public Employment (NT)
- Mr John Hargreaves MLA, Minister for Industrial Relations (ACT)
- Mr Simon Finn MP, Parliamentary Secretary for Industrial Relations (QLD)

*Apologies:*

- The Hon Troy Buswell MLA, Minister for Commerce (WA)
- The Hon Kate Wilkinson MP, Minister of Labour (NZ)