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Induction Training for the Construction Industry

Presenter: Julia Collins
Director, General Standards
Office of the Australian Safety and Compensation Council

This paper reports on the status of induction training for construction work in Australia and the development of a national code of practice for induction training.

In March 2003, the *Final Report of the Royal Commission into the Building and Construction Industry* recommended that the National Occupational Health and Safety Commission (NOHSC) develop uniform national OHS standards for the construction industry under the *National OHS Strategy 2002-2012*. The Workplace Relations Ministers' Council agreed in November 2003 that NOHSC would develop national material for the construction industry.

As a result, NOHSC declared the *National Standard for Construction Work* [NOHSC:1016 (2005)] (the National Standard) in April 2005. It is expected that the National Standard will be fully implemented in all jurisdictions within the next two to three years.

The National Standard requires all persons engaged to undertake construction work, as defined in the National Standard, to undergo OHS induction training before commencing work (Clauses 7.40 and 7.41).

The Commission agreed to develop a *National Code of Practice for Induction Training for Construction Work* (the Code) to provide guidance on how to achieve the induction training requirements of the National Standard.

A working group was formed to advise in developing the Code and consisted of members of the Australian Chamber of Commerce and Industry, represented by the Master Builders Association, the Australian Council of Trade Unions, represented by the Construction, Forestry, Mining and Energy Union, and representatives from state/territory OHS authorities, as well as an observer from the Australian National Training Authority.

The draft Code of Practice and draft Regulatory Impact Statement were released for public comment on 17 August 2005.

The draft Code aims to provide the basis for the development of consistent, nationally recognised induction training for persons engaged in construction work. The key objective of this training is to raise awareness of construction industry hazards, risks and control measures.

Implementation of the Code should:

- improve economic efficiencies for employees and employers working in multiple jurisdictions;
- assist duty holders to comply with their occupational health and safety obligations; and
- eliminate duplication of effort (and associated costs) for OHS authorities in producing guidance material and courses for OHS induction training for construction work.

REGULATORY INCONSISTENCY

There is current inconsistency between jurisdictional approaches to general OHS induction training for construction workers (Appendix 1 provides a comparison).

New South Wales, Queensland and recently Western Australia, are the only jurisdictions to have compulsory OHS general induction training requirements under their OHS legislation¹.

Victoria has implemented a general induction training scheme through a formal industry agreement. The training is delivered by Registered Training Organisations and a proof-of-training card (or “Red Card”) is issued. Victoria accepts the NSW WorkCover Construction Induction Certificate, however, because Victoria’s training is not mandated, NSW does not recognise the Victorian training.

In South Australia, a Common Safety Induction Course has been developed by WorkCover Corporation SAFER Industries and the Construction Industry Training Board. The “Green Card” is valid for two years.

Regulations for induction training in Western Australia will come into effect in January 2007. A course is currently being developed and training will be delivered by Registered Training Organisations. The Safety Awareness Training Card will be valid for three years. WA will only recognise training completed in other jurisdictions up until January 2007.

The Australian Capital Territory, Tasmania and the Northern Territory do not require persons to undertake OHS general induction training.

Whilst there is some recognition by jurisdictions of training which has occurred elsewhere, only one jurisdiction (Victoria) has formally stated this recognition. NSW and Queensland do not recognise the training offered by any other jurisdiction. In jurisdictions where general induction training is not mandatory but is either recommended, or given tacit approval, there is a lack of clarity on what is recognised. In these situations, arrangements at work sites dictate the recognition protocols, not the OHS regulator.

Some training programs are accredited through OHS regulators, some are accredited through State Training Authorities. There is no single quality assurance framework around the training programs. In NSW, trainers themselves are approved through the OHS regulator.

EXAMPLE OF THE CURRENT SITUATION

As an example of the confusion and duplication involved in the current arrangements, consider a worker who enters the construction industry in Victoria, moves to a job in NSW, and then into Queensland. This worker would need to complete three separate induction courses, covering essentially the same material, and would end up with three separate cards - a red, a blue and white. If our construction worker then moved to SA, even though SA legislation does not mandate general induction training, the reality is that he or she is likely to be under pressure at particular sites to undertake the SA “Green Card” safety induction course, adding yet another card to their collection.

THE AUSTRALIAN CONSTRUCTION INDUSTRY

The Australian construction industry comprises 715,300 employees², or approximately 7% of the Australian workforce (9.8 million in full and part-time employment)³.

¹ Building Industry Taskforce. <http://www.buildingtaskforce.gov.au/Faq/general.asp#RedCard>

² Australian Bureau of Statistics, 1301.0 *Year Book Australia*; www.abs.gov.au, January 2005.

Each state and territory has its own approach to OHS policy and practice and develops its own legislation. Since 1984, Australian states and territories have prepared over 440 separate pieces of OHS legislation and guidance material that directly or indirectly affect the construction industry. Apart from similarities at the highest level in the OHS Acts, there are few similarities between the jurisdictions on the approach to regulating safety in the construction industry.

The *Royal Commission into the Building and Construction Industry* (Royal Commission) noted inefficiencies exist where companies operate nationally and need to comply with individual jurisdictional regulations or codes of practice⁴:

“There is at present a fragmented, disjointed and uncoordinated system of occupational health and safety law and regulation in Australia which, when applied to a national industry such as the building and construction industry, is inequitable, wasteful and inefficient. Workers in the industry are entitled to a regime of the highest possible standard regardless of where they are working in Australia. Difficulties are experienced because of the existence of separate state and federal industrial relations and OHS systems. It is claimed that builders, workers and unions often do not know which legislation is applicable to particular situations and pursuant to which legislation or agreements they are acting”.

A NATIONALLY CONSISTENT APPROACH

The National Occupational Health and Safety Commission considers that a nationally coordinated approach to improving OHS awareness in the construction industry is required. The *National Code of Practice for Induction Training for Construction Work* aims to:

- a. improve economic efficiencies for employees and employers working in multiple jurisdictions;
- b. assist duty holders to comply with their occupational health and safety obligations;
- c. eliminate duplication of effort (and associated costs) for OHS authorities in producing guidance material and courses for OHS induction training for construction work.

The Code could be adopted in each jurisdiction and complement existing obligations under the jurisdictions’ OHS Acts and the National Standard. It covers the following issues:

- the responsibilities relating to induction training;
- requirements for general induction training (including content and delivery), as well as guidance on site specific and work activity induction training; and
- record keeping responsibilities of various parties.

The Code proposes that persons intending to work in the construction industry complete a structured general induction training program delivered by a Registered Training Organisation (RTO), through the Vocational Education and Training (VET) System, which is followed up by site-specific and work activity induction training. The general induction training remains valid for life for persons who continue working in the industry. A person returning to the industry after an absence of two years or more would need to complete the general induction training course again. In such cases, employers or persons with control of construction work would need to confirm any periods of absence from the industry to determine whether new workers need re-training.

³ Australian Bureau of Statistics, 6202.0 *Labour Force Australia*; www.abs.gov.au, February 2005.

⁴ Royal Commission into the Building and Construction Industry, *Volume 6: Reform – Occupational Health and Safety*, Final Report, February 2003.

KEY ISSUES

Who needs to undertake general OHS induction training?

The *National Standard for Construction Work* [NOHSC:1016(2005)] provides for the following exceptions where OHS induction training is not required:

- Visitors to a construction site who are accompanied by a person who has received occupational health and safety induction training; and
- Persons temporarily at a construction site to deliver plant, supplies, materials or services where a risk assessment indicates that any risks to persons can be controlled through other measures (such as implementing visitor management plans, restricted access to low-risk areas, visitor sign-in/out procedures etc)

However, the Code recognises that there may be some situations where varying levels of induction training are needed. For example, a person temporarily at a construction site may need general induction, or only site-specific induction or no induction training, depending on the nature and extent of:

- The expected level of risk at the site or for the particular task; and
- The level of supervision.

Employers, principal contractors or persons in control of the workplace will need to exercise judgement in deciding who needs to undertake general induction training, for example, persons undertaking cleaning, maintenance, landscaping, provision of on-site catering, hygiene or other ancillary services. The main target groups for general induction training are persons with a direct and active involvement in the building and construction industry, who regularly need to access operational construction zones.

How often should general induction training be undertaken?

The Code proposes that persons continuously employed in the construction industry only need to complete general induction training once. A person returning to the industry after an absence of two years or more would need to undertake the general induction training course again.

There is a view that, to ensure construction safety awareness remains current and relevant, all workers in the construction industry need to update/refresh their knowledge regularly. Some stakeholders support a scheme where induction training cards are valid for up to two or three years, after which re-induction or refresher training must be completed and a new card issued.

The additional benefits that this training would provide are uncertain, since persons who continue to work in the industry can update their knowledge of construction safety through other mechanisms such as industry networks and associations, as well as OHS regulators.

The need for nationally recognised training

A key aim of the code is to establish a framework for quality assured, nationally recognised general induction training to be delivered through the VET system. It lists the essential topics that should be covered. The general induction training course would be developed by the Construction and Property Services Industry Skills Council, which is responsible for all nationally recognised construction industry qualifications.

The VET system is based around the National Training Framework (NTF), a nationally consistent, industry-led system designed to:

- provide high-quality skill outcomes,

- provide for nationally recognised qualifications; and
- improve the competitiveness of enterprises and the nation.

The NTF has two key components:

- The Australian Quality Training Framework (AQTF), which provides the quality assurance arrangements for the system. There is one set of quality standards for state or territory course accrediting bodies, and one set for Registered Training Organisations (RTOs) who deliver training and assessment services.
- Training Packages consist of sets of nationally endorsed standards and qualifications for recognising and assessing people's skills.

Training organisations must be registered under the AQTF in order to deliver, assess and issue qualifications or statements of attainment in endorsed Training Packages and accredited courses. All statements of attainment or qualifications issued by an RTO are recognised nationally.

Induction training must be supplemented with other training

General induction training aims to provide persons new to the construction industry with a only a basic knowledge of OHS legislative requirements, principles of risk management and the prevention of injury and illness in the construction industry.

The code highlights that OHS induction training on its own is not sufficient to fully discharge all legal obligations in relation to training. Other forms of training, instruction, information and supervision may be needed on a regular basis to ensure currency of skills and knowledge and to manage risks associated with the changing nature of the work and workplace.

Additional training may also be required specific to roles or occupations, eg. persons undertaking management or supervisory functions, first aid officers, plant operators.

The draft *National Code of Practice for Induction Training for Construction Work* and Regulatory Impact Statement are available with a Public Discussion Paper on the NOHSC website at: <http://www.nohsc.gov.au/PublicComment>

APPENDIX 1 - COMPARISON OF CURRENT JURISDICTIONAL GENERAL INDUCTION TRAINING ARRANGEMENTS

	Mandated by legislation or regulation	OHS general induction training course	Card	Recognition of other jurisdictions training	Re-induction every two years for all workers	Re-induction if out of the industry for two or more years	Cost of attending training	Training delivered through an RTO	Hours of training
NSW	Yes	Yes	White	No	No	Yes	No Charge*. RTO's \$100 Industry associations \$220	Yes	Approx. 6 hours
QLD	Yes	Yes	Blue	No	No	No	\$80 - \$100	Yes	4 hours
ACT	No	'Recommended' - various accredited training	/	Yes	N/A	N/A	N/A	N/A	N/A
VIC	No	Yes	Red	Yes	No	Yes	\$90 - \$150	Yes	1 day
TAS	No	No	/	N/A	N/A	N/A	N/A	N/A	N/A
SA	No	Yes	SA Green	xxx	Yes	No	\$20 - \$70	xxx	4 hours
NT	No	No	/	N/A	No	No	N/A	N/A	N/A
WA	Yes	Yes	WA Green	Yes until January 2007	Yes	No	\$80	Yes	Minimum of 4 hours

* WorkCover will provide the Construction Induction Certificate free of charge for persons trained after 29 March 2004 as well as those persons trained previously who have a valid Statement of Training