



## Submission Template | Asbestos Safety Training Options for Workers Entering Trades

**Submission from:** Office of Industrial Relations, Queensland

### Responses to questions posed:

1. Do you agree that asbestos awareness training is required *before* apprentices are at any risk of asbestos exposure? If so, what training do apprentices need?

The Office of Industrial Relations (OIR) agrees that asbestos awareness training should be provided to new workers, including apprentices, before they enter a workplace or complete any work task where they may encounter asbestos.

All apprentices in trades that may be required to work with or around ACM should be given general training on asbestos awareness, including the different types of asbestos materials and different applications it can be used in. Training should also be tailored to the workplace, work environment and trade, taking into account the particular hazards for individual trades and the historical building trends/techniques used in each jurisdiction.

The hazards an electrical apprentice may encounter will be far different to what a carpentry apprentice may encounter, however it is important to note that often trades can be on-site together and regardless of the work being done, may inadvertently be exposed to ACM.

A minimum formal training requirement could be considered; however the actual training may be different dependant on the occupation and type of work undertaken.

Training for apprentices could cover:

- hazard identification and awareness – being able to identify materials that potentially contain asbestos and buildings/areas of buildings that are likely to contain ACM
- risk mitigation – what actions to take to avoid exposure for themselves and other workers
- how to use PPE, how to select and use Respiratory Protective Equipment effectively and how fit testing should be conducted
- control measures that must be used when working with asbestos
- how to decontaminate the site, tools and themselves

Formal training (inclusive of accredited and non-accredited courses) should be prioritised over on-the-job training provided by an employer e.g. toolbox talks.



In circumstances where there are multiple duty holders involved (e.g. a host employer, apprenticeship provider and labour hire company), there also needs to be clarity on who has provided training so a duty holder doesn't assume training has been provided by someone else.

2. While all WHS laws impose duties on PCBUs (or equivalents) to provide training, they are not prescriptive about what training needs to be undertaken or who can provide that training, apart from the ACT. Do these laws provide adequate protection to workers at risk of being exposed to asbestos? If not, how could they be improved?

OIR supports the general nature of the duty in the WHS laws for PCBUs to ensure they provide training that addresses the risk factors relevant to their workers, and not prescribing what training needs to be undertaken, as this could limit the ability of a PCBU to tailor the content to their needs.

However, the development of training that is specific for particular workers, such as apprentices, allows for consistency of training and therefore a minimum level of competency across a work group. If additional training is developed there may be justification for setting it as a minimum training benchmark.

3. In your state or territory do the current asbestos training provisions in WHS regulations and codes provide enough information to determine what 'suitable and adequate' training means for asbestos related jobs?

What is considered to be 'suitable and adequate' training will vary between professions and the scope of work that the worker undertakes, making it difficult to prescribe in Regulations and Codes.

The training guidance included in the 'How to manage and control asbestos in the workplace Code of Practice 2021' is sufficient to broadly identify training areas required for workers undertaking asbestos related work. However, as there is no guidance on what specific content is required to ensure that the training is suitable for worker groups, there can be significant variation between the practical and knowledge training delivered between workplaces, and this can result in inconsistent risk and hazard knowledge between workers.

4. If further prescription about training is desirable, are there particular occupations which should be targeted (see for example the list at Appendix 1 setting out the occupations listed under the ACT legislative scheme).



If a prescribed training requirement was introduced, the coverage should extend to any occupations working in a building and construction environment that may involve the worker undertaking work activities involving ACM that may result in the release of fibres and exposure to asbestos.

Queensland's *Building and Construction Industry (Portable Long Service Leave) Act 1991 (S3A)* has a definition of a building and construction 'eligible worker'. The coverage of this definition is broad and is inclusive of any person under a contract of service to perform work in the building and construction industry.

Consideration could be given to expanding the definition to include additional workers who may be located in workplaces where there is a potential for fibre release and exposure to asbestos.

Further consideration could be given to include ancillary occupations who are likely to come into contact with asbestos containing products including people who operate mowers and whipper snippers, house raisers, mould remediation workers and insurance assessors.

5. Is nationally recognised training generally preferable to non-accredited courses to meet PCBU duties for workers entering trades who may be exposed to asbestos? Why?

Training, be it accredited or non-accredited, can deliver excellent vocational and safety outcomes in the building and construction industry.

Accredited training is generally preferable due to the quality assurance requirements, AQF alignment and consistency it provides across jurisdictions.

However, the issue of quality within the VET sector is a long-standing issue that is complex and difficult to define and resolve. State and Federal governments have struggled to resolve these issues for many years. In Queensland, the introduction of the Queensland Office of the Training Ombudsman has been a successful initiative providing students, apprentices and trainees, employers and the community with an avenue to address issues and complaints regarding training including quality.

The Office of Industrial Relations has a strong, collaborative relationship with the Office of the Training Ombudsman. This partnership includes undertaking reviews of RTOs delivering apprentice training, ensuring employers are aware and meeting their obligations and reviews of training pathways that lead to a licensing outcome in Queensland's building and construction industry.

The characteristics of quality training should include:

- defined learning outcomes – where relevant linked to the related legislative requirements
- verification of identity – for online courses it can be challenging to ensure the individual registered to undertake the course is the person who is actually undertaking the course.
- assessment to verify an individual has gained the required 'competence' as set out in the defined learning outcomes.



- for courses that have a practical component, face to face training should be required. Noting that the COVID-19 pandemic has made this challenging in some circumstances; and
- the delivery organisation be it an RTO or an industry body should ensure the deliverer of the training is a competent person and the required materials and resources are available to ensure effective competency outcomes.

Quality non-accredited training can be more beneficial than accredited training when it is industry specific, tailored to individual trades and more in-depth and applicable to real-life applications.

6. Do some PCBUs find choosing asbestos training difficult given the range of choice and the need to ensure training meets duties under WHS laws? Why? Do small businesses face any particular challenges in this regard?

It is likely that some PCBUs find it difficult to choose appropriate asbestos training for their workers, because of the need to ensure generic training is suitable for their particular business needs.

Small businesses may find this particularly challenging as they do not have the resources to analyse the hazard profiles created by their activities.

In Queensland there are many avenues for a PCBU to be aware of the choice of training options regarding asbestos.

The Office of Industrial Relations, which includes Workplace Health and Safety Queensland (WHSQ) and the Electrical Safety Office (ESO), regularly provides information through engagement channels regarding asbestos. The WHSQ Advisory services refer PCBUs to the asbestos awareness training options available which currently give base level understanding for construction focused workers.

WHSQ and ESO Inspectors also provide information to PCBUs during regulatory and site visits to support PCBUs and other duty holders to be aware of their duties.

Queensland's Small Business Commissioner provides an avenue for small businesses to engage and seek support with their business operations and obligations. OIR has a productive working relationship with the Office of the Small Business Commissioner to provide a central 'one stop shop' website that provides small businesses with information and linkages to the relevant agency for items such as licensing and legal obligations.

Construction Skills Queensland (CSQ) partner with government and industry as well as direct contact with employers of all sizes to inform them of the training avenues available in their Annual Training plan inclusive of asbestos courses.

7. Which of the options at 6.1 – 6.5, if any, do you support or not support and why? (You may wish to rank the options in order of preference).



OIR supports the introduction of a unit of competency being included in national training packages (Option 6.2). This would provide greater training for all apprentices and trainees entering the building and construction industry and create an environment of national consistency, without increasing the regulatory burden for PCBUs.

OIR considers existing units could be adopted for inclusion as a short-term measures, noting the time it can take to develop and implement new content in training packages.

OIR partly supports option 6.3 as another method for increasing guidance for PCBUs without additional regulatory burden. OIR supports providing more information and guidance to employers on appropriate training on the Queensland whole of government asbestos website. This guidance could include the minimum elements a training course should cover for different categories of workers, and how or where to source appropriate training, similar to the information published about training requirements for working with low density asbestos fibre board ([asbestos-ldb-training-record.docx \(live.com\)](#)).

However, OIR would not be supportive of amending codes of practice to provide guidance on nationally accredited training options, due to the status of codes of practice in Queensland. Under section 26A of the Queensland WHS Act, duty holders must comply with an approved code of practice or follow another method that provides an equivalent or higher standard of work health and safety than the standard required in the code. Acknowledging that training should be tailored to the workplace, work environment and trade, it would be difficult to prescribe a minimum standard of training in a code of practice. Additionally, prescribing a course would require the regulator to maintain knowledge of the available courses and update the code of practice when changes occur.

OIR will continue to engage with industry, stakeholders and other jurisdictions to support the uptake of asbestos training for all workers and specific to occupations and licensing requirements as needed.

OIR considers options 6.3, 6.4 and 6.5 require national discussion through Safe Work Australia should any of these options be progressed further.

8. Are there other levers which could be used to ensure all workers entering trades who may be exposed to asbestos receive adequate asbestos safety training?

Including specific units of competency in national training packages for apprentices and trainees would ensure national consistency of asbestos safety training. The unit on asbestos safety should be covered early in the course (i.e considering it as part of the job planning stage), not after they learn how to use tools.

Other incentives could include course reimbursement schemes for employers or study incentives for students who demonstrate advanced knowledge of the subject.



9. Are there any other issues you would like to comment on regarding the adequacy of asbestos safety training especially for workers entering trades where they may be exposed to asbestos?

1. The quality of training is a broader issue than just having a consistent course developed. The monitoring of RTOs to ensure quality of training is an essential mechanism to achieve long term consistency of worker competence.

This monitoring will either require ASQA to have an increased focus on the content and competency outcomes for training or for regulators to broaden their focus to include training quality in this area.

2. To complement training, it would be beneficial to develop a national data base for asbestos materials in the built environment, that all tradespeople could access. Such a data base could include a photo gallery, technical specifications of products and information on the appropriate techniques for managing and removing individual asbestos products.

3. In Queensland, workers and apprentices in the building and construction industry have access to eight short courses that cover asbestos, subsidised through Construction Skills Queensland (CSQ) and delivered by RTOs throughout Queensland. For example, the Asbestos General Awareness Training course is a non-accredited course with ten RTOs currently funded to subsidise the training. Subsidies are generally approximately 75% of the full course price. Apprentices are eligible for 100% of their course costs to be funded including asbestos courses.

In Queensland CSQ's subsidised courses are viewed of a high quality as they include both accredited (from within training packages) and non-accredited courses in a user choice system. The RTOs funded to deliver these courses undertake a rigorous process to become an approved CSQ Registered Training Supplier. This is held in high regard in industry as a lever of quality.

OIR understand that asbestos courses are widely taken up through CSQ's Annual Training Plan.