

Code of Practice

# Induction for Construction Work

July 2009

**Disclaimer**

This is a Code of Practice which contains industry recommended action for managing workplace safety. It includes some of your obligations under the various Occupational Health and Safety Legislation that Workplace Standards Tasmania administers. To ensure you comply with your legal obligations you must refer to the appropriate acts.

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## **Introduction**

This is a Code of Practice which contains recommended action for managing workplace safety and has been developed with the assistance of the following organisations:

- Construction Forestry Mining and Electrical Union
- Master Plumbers Association
- Housing Industry Association
- Master Builders Association

It includes some of your obligations under the Workplace Health and Safety Legislation that Workplace Standards Tasmania administers. To ensure you comply with your legal obligations you must refer to the legislation.

The Minister for Workplace Relations has approved this industry Code of Practice on the recommendation of Workplace Standards Tasmania to provide practical guidance for employers and other persons on how to meet their obligations under the *Workplace Health and Safety Act 1995*.

## **What is a CODE OF PRACTICE?**

An approved code of practice is a practical guide to achieving the standard of safety required by the *Workplace Health and Safety Act 1995* and *Workplace Health and Safety Regulations 1998* for a particular area of work.

This approved code of practice should be followed unless there is an alternative course of action, which achieves the same or better standard of health and safety in the workplace. An industry code of practice is approved by the Minister for Workplace Relations. It comes into effect on the day the notice of this approval is published in the Government Gazette or on the day specified in the Gazette notice.

An approved code of practice is designed to be used in conjunction with the Act and Regulation but does not have the same legal force. A person or company cannot be prosecuted for failing to comply with an approved code of practice.

However, in proceedings under the Act or Regulation, failure to observe a relevant approved code of practice can be used as evidence that a person or company has contravened or failed to comply with the provisions of the legislation.

A Workplace Standards Inspector may cite an approved code of practice in a direction or in an improvement or prohibition notice, indicating the measures that should be taken to remedy an alleged contravention or non-compliance. Failure to comply with a requirement in an improvement or prohibition notice is an offence.

## **In summary an approved INDUSTRY CODE OF PRACTICE**

- gives practical guidance on how the required standard of health, safety and welfare can be achieved in an area of work;
- should be followed, unless there is an alternative course of action

which achieves the same or better standard of health and safety in the workplace;

- can be used in support of the preventative enforcement provisions of the *Workplace Health and Safety Act 1995*;
- can be used to support prosecutions for failing to comply with or contravening the Act or Regulation.

**Title:**

This is the *Tasmanian Code of Practice for Induction for Construction Work*

**Commencement:**

This Code of Practice commences on the date it is published in the *Tasmanian Government Gazette*.

**Authority:**

This Code of Practice is approved by the Minister for Workplace Relations as a code of practice under section 22 of the *Workplace Health and Safety Act 1995*.

**Incorporated Documents:**

The *Workplace Health and Safety Act 1995* provides for an approved code of practice to incorporate any code, standard, rule specification or provision.

Accordingly, the following document is incorporated into this Code of Practice in the manner as detailed below:

“National Code of Practice for Induction for Construction Work”

The following provisions apply to the document:

**General Induction Training**

For workers who have been engaged in the construction industry for less than 5 years, General Induction Training as specified at Part 6 of the *National Code of Practice for Induction for Construction Work* must be undertaken within 12 months of the Gazettal of this Code of Practice.

For workers who have been engaged in the construction industry for more than 5 years, General Induction Training as specified at Part 6 of the *National Code of Practice for Induction for Construction Work* must be undertaken within 24 months of the Gazettal of this Code of Practice.

**Site and Task-Specific Induction**

Site Induction and Task Specific Induction as specified at Part 7 of the *National Code of Practice for Induction for Construction Work* is not a requirement for workers undertaking work on Class 1, 2 (to 3 habitable storeys) or 10a as defined on the Building Code of Australia (BCA).

**Note**

As described above, whilst provisions contained in an Approved Code of Practice are not mandatory, industry are advised that the relevant legislation enforcing the above provisions and including the requirement to produce evidence of training will be introduced and align with the above mentioned timelines.

A copy of the Code is available electronically at [www.wst.tas.gov.au](http://www.wst.tas.gov.au)

Hard copies may be viewed at the offices of Workplace Standards Tasmania at:

- 30 Gordons Hill Road, Rosny Park, 7018
- Lvl 3, Henty House ,I Civic Sq, Launceston, 7250
- 46 Mount Street, Burnie 7320