

**Submission  
No 11**

## **INQUIRY INTO MUTUAL RECOGNITION (NEW SOUTH WALES) AMENDMENT BILL 2021**

**Organisation:** The Australian Workers' Union (AWU)

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To whom it may concern

### **Re: Mutual Recognition (New South Wales) Amendment Bill 2021**

The Australian Workers' Union welcomes the opportunity to make a submission to the Committee on the proposed Bill.

The AWU, as Australia's oldest union, has a broad coverage with a countless number of trade qualifications represented: carpenters, drillers, fitters, gas fitters, electrical fitters, mechanics, pressure welders, carpenters, drillers, and many others. The AWU's broad industry coverage across manufacturing, civil construction, metalliferous mining, oil and gas also means that workers regardless of their trade working on these sites are covered by the union. The majority of members in our union have undertaken the necessary careful training to develop their craft to the standards set in each State and Territory.

The AWU takes the health and safety of our members very seriously. AWU members work in number of high risk industries in NSW such as mining, construction, chemicals, petrochemicals and gas. Workforce skills and safety in these industries are critically and directly related to the safety of our members and the actual communities they work in.

As put to the inquiry by the Australian Council of Trade Unions and our union colleagues, the proposal to complete automatic mutual recognition of all trade qualifications in New South Wales will significantly increase the safety risks to our members and the communities they work in. This is because the necessary work to develop, implement and harmonise standards across jurisdictions has not been done. Presently, training packages and licensing requirements differ significantly between states and territories, meaning that a mechanic (for example) in Queensland is likely not to have training in the relevant New South Wales standard.

The goal of the Intergovernmental Agreement signed on to by the States and Territories in December last year is to reduce unnecessary regulatory burden. However, this presents a far-too-narrow lens on the problem. If significant injury or property damage results from a lack of compliance with New South Wales standards, this creates a far bigger burden – for individuals and businesses affected as well as government – than the current process of mutual recognition of trades.

Further, safety regulators remain state-based despite this proposal effectively removing all barriers to working in jurisdictions. If, for example, a fitter from Queensland makes an error causing a significant gas leak in New South Wales, how do SafeWork NSW and other regulators intend to effectively trace the work back? The NSW licensing system allows state regulators good oversight of tradespeople in New South Wales – but there is no such system allowing that for every tradesperson in the country.

The AWU believes that the licensing system in New South Wales and other states is the underpinning foundation to industry safety standards and provide a core element to the ability of regulators to assess compliance with safety and other requirements. Accordingly, the acceptance of automatic mutual recognition in the state should, at a minimum, be frozen until:

- a) It can be demonstrated that there is no risk of tradespeople licensed interstate avoiding safety regulation or enforcement for work below New South Wales standards
- b) National standards for each relevant trade are developed.

The AWU would welcome the opportunity to contribute further to the inquiry, including by appearing at upcoming hearings in April.

Kind regards

**Daniel Walton**  
National Secretary  
The Australian Workers' Union