ASBESTOS AWARENESS TRAINING IN THE AUSTRALIAN CAPITAL TERRITORY

This fact sheet provides advice on recent changes to asbestos training requirements for Commonwealth PCBUs conducting a business or undertaking in the Australian Capital Territory (ACT).

MANDATORY ASBESTOS AWARENESS TRAINING

On 25 June 2014, the ACT Minister for Workplace Safety and Industrial Relations announced mandatory asbestos awareness training in the ACT. From 30 September 2014, all ACT PCBUs are to ensure that all workers they engage complete asbestos awareness training (the specific VET course Asbestos Awareness—course code 10314 NAT) if the:

\[ \begin{align*} 
& \text{PCBU reasonably believes the worker will work with asbestos or with asbestos containing materials, and} \\
& \text{if the worker belongs to an ACT declared occupation.} 
\end{align*} \]

ASBESTOS AWARENESS TRAINING AND COMMONWEALTH PCBUs

There is no obligation on a Commonwealth PCBU to ensure that their workers complete the ACT prescribed asbestos awareness training, as the ACT WHS Act does not apply to Commonwealth PCBUs. There is an existing obligation under Commonwealth regulation 445 to provide asbestos training for workers, although the regulation does not specify a particular course. It is therefore open to a Commonwealth PCBU in the ACT to provide the training in VET course Asbestos Awareness—course code 10314 NAT particularly if the PCBU believes it provides a higher level of safety.

ASBESTOS AWARENESS TRAINING AND COMMONWEALTH WORKERS

The definition of worker in the ACT WHS Act is the same as for the Commonwealth. If a Commonwealth worker contracts to an ACT PCBU, and they are also working with asbestos or are in a declared occupation, the ACT PCBU has a clear duty to ensure that the worker is trained in the specific VET course Asbestos Awareness—course code 10314 NAT.

It is foreseeable that a Commonwealth worker not under contract or subcontract to an ACT PCBU (e.g. federal visitors, Comcare inspectors) may attend a worksite. The ACT PCBU may require that worker to complete asbestos awareness training as a condition of entry. In these circumstances, even though there is no legal requirement for the Commonwealth worker to complete the ACT training, it may be expedient to undergo the training. The responsibility for training and its cost are matters for the relevant PCBUs to determine should a workplace policy seek to be applied in this manner.

MORE INFORMATION

If you are a Commonwealth PCBU conducting a business or undertaking in the ACT and require additional information about asbestos awareness training please contact Michael Fitzgerald on 1300 366 979 or email fitzgerald.michael@comcare.gov.au.