



Northern
Territory
Government

Northern Territory Code of Practice

FOR INDUCTION FOR CONSTRUCTION WORK

NTWorkSafe
putting safety first >

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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 Energy Union (CFMEU)
- > Australian Manufacturing Workers' Union (AMWU)
- > Communication Electrical Plumbing Union (CEPU)
- > Master Builders NT (previously known as Territory Construction Association)
- > Housing Industry Association NT (HIA)

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

The Minister for Justice has approved this industry Code of Practice on the recommendation of NT WorkSafe, to provide practical guidance for employers and other persons on how to meet their obligations under the *Workplace Health and Safety Act 2007*.

Definitions

Construction work

'Construction Work' is defined by the National Code of Practice for Induction for Construction Work as 'any work on or in the vicinity of a construction site carried out in connection with the construction, alteration, conversion, fitting out, commissioning, renovation, repair, maintenance, de-commissioning, demolition or dismantling of any structure, and includes:

- > the demolition or dismantling of a structure, or part of a structure, and the removal from the construction site of any product or waste resulting from the demolition or dismantling;
- > the assembly of prefabricated elements to form a structure or the disassembly of prefabricated elements, which, immediately before such disassembly, formed a structure;
- > any work in connection with any excavation, landscaping, preparatory work, or site preparation carried out for the purpose of any work referred to in this definition; and
- > any work referred to in this definition carried out under water, including work on buoys, obstructions to navigation, rafts, ships, and wrecks.

It does not include the exploration for or extraction of mineral resources or preparatory work relating to the extraction carried out at a place where such exploration or extraction is carried out'.

Employer

In accordance with the National Code of Practice for Induction for Construction Work, 'Employer' means a person who engages other persons under contracts of employment or apprenticeship.

Probationary Period

'Probationary Period' for the purpose of this document, means the period of continuous employment of 90 days immediately proceeding the date of the commencement of the worker in the construction industry. During the probationary period the worker shall be deemed to hold their positions under probationary classification.

Registered Training Organisation

'Registered Training Organisation' (RTO) as defined by the National Code of Practice for Induction for Construction Work means 'a training organisation registered by a state or territory registering body in accordance with the Australian Quality Training Framework, that has the scope of registration to deliver the general induction training'.

Risk

'Risk' as defined by the National Code of Practice for Induction for Construction Work means 'the likelihood of a hazard causing harm to a person'.

Worker

The *Workplace Health and Safety Act 2007* defines 'Worker' as:

- (a) 'any person who works in the employer's business:
 - i. as an employee; or
 - ii. as an apprentice or person undergoing on-the-job training; or
 - iii. as a contractor or sub-contractor; or
 - iv. as an employee of a contractor or sub-contractor; or
 - v. as an employee of a labour hire company who has been assigned to work for the employer; or
 - vi. as a volunteer; or
 - vii. in any other capacity;

- (b) if the employer is a natural person who works in the employer's business – the employer him/herself'.

What is a CODE OF PRACTICE?

An approved Code of Practice is an instrument of an advisory nature and should be used as a practical guide to achieve the standard of safety required by the *Workplace Health and Safety Act 2007* and Regulations. For example, Regulation 43 uses words like 'suitable' and 'appropriate' and this Code of Practice illustrates what this requires in relation to construction induction training.

An approved code of practice can relate to workplaces generally; or a particular class or type of workplaces; or a particular workplace.

If it relates to workplaces generally or a particular class of workplaces the Code takes effect when approved by the Minister. If it relates to a particular workplace the Code takes effect when approved by the Authority.

An approved Code of Practice is designed to be used in conjunction with an Act and Regulation but does not have the same legal force.

A Workplace Safety Officer 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.

If you follow an approved Code of Practice, you can be confident that you will achieve the minimum standards required to meet your obligations under the associated Act and Regulations.

This Code of Practice is approved by the Minister for Justice. It becomes effective on the date stated in the instrument and remains in force for the period stated in the instrument.

Title

This is the Northern Territory *Code of Practice for Induction for Construction Work*.

Commencement

This Code of Practice commences on the day stated in the instrument approved by the Minister. Approval is to be effective for a period stated in the instrument of approval.

Authority

This Code of Practice is approved by the Minister for Justice as a Code of Practice under Section 61 of the *Workplace Health and Safety Act 2007*.

Incorporated Documents

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”.

This can be found at [Induction Code of Practice](#)

The following provisions apply to the document:

General Induction Training

Implementation date of 31 October 2009

Prior to commencing construction work in the NT, employers must ensure workers have completed general induction training.

Employers must ensure all existing workers engaged to perform construction work in the NT that are working within probationary classification complete general induction within two (2) months of the commencement of the Code of Practice approved by the Minister.

Employers must ensure all workers performing construction work in NT complete general induction training within ten (10) months from the date of commencement of the Code of Practice.

Enforcement

Where it is not reasonably practicable for an employer to satisfy the general induction training timeframes above, NT WorkSafe may accept evidence of intention to train workers within a reasonable amount of time outside of the cut-off date. Satisfactory evidence may include for example enrolment documentation or signed training agreement/plan.

Evidence of training

NT WorkSafe may accept any of the following things as evidence that the employer has ensured the worker has completed general construction induction training:

- a construction induction card issued by NT WorkSafe following successful completion of induction training by an RTO;
- a construction statement of attainment issued by an RTO, pending processing of a construction induction card, or
- recognised evidence of construction induction training (e.g. a statement or card issued under similar requirements in another Australian state or territory).

Information regarding mutual recognition of interstate and is available as Information Bulletin 03.03.02 *Mutual recognition of interstate and industry induction cards* and can be found at www.worksafe.nt.gov.au

A copy of the Code is available electronically at www.worksafe.nt.gov.au

Attachment A

Conditions for Northern Territory Registered Training Organisations (RTO) to issue a white card.

- > RTO to deliver general induction as a structured training course of at least 6 hours duration of face-to-face delivery.
- > RTO to issue statement of attainment within 14 days of completion of training.
- > RTO to verify applicants identity by way of photo ID and record their details and date of training.
- > RTO to participate in audits by DET and NTWS.
- > RTO to issue the white card (in accordance with the design issued by NTWS) to the course participant upon successful completion of the unit of competency.
- > RTO to be prepared where reasonably practicable, to deliver training to Territorians in remote locations.
- > RTO to follow procedures set by NT WorkSafe for the printing of the white card.
- > RTO to maintain a register of card holders.
- > RTOs to submit a copy of the register to NT Worksafe should they cease operations or cease to deliver general induction training.
- > RTO to demonstrate appropriate control mechanisms to ensure integrity, security and validity of cards.