

**SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION  
LEGISLATION COMMITTEE**

**2005-2006 SUPPLEMENTARY BUDGET SENATE ESTIMATES HEARING  
2 and 3 NOVEMBER 2005**

**EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO**

**QUESTIONS ON NOTICE**

**Outcome 2: Higher productivity, higher pay workplace**

**Output Group: Workplace Relations Policy Group**

**Output: Safety, Compensation and International Policy Branch**

**Question Number: W586-06**

**Question:**

Senator Siewert asked at *Hansard* page 80: Has the department looked at the impact on safety when the Western Australian workplace agreements were introduced?

**Answer:**

Occupational health and safety is primarily the responsibility of State and Territory Governments, with the Australian Government only having responsibility for Commonwealth employees. All occupational health and safety legislation imposes a duty of care on employers to protect the health and safety of their employees. The duty of care includes providing a safe working environment and safe systems of work, and encompasses risks associated with fatigue.

Workplace agreements, whether individual or collective, in no way diminish the responsibilities imposed on employers and employees under State and Territory occupational health and safety legislation.