**COMMUNIQUÉ**

**Meeting of Work Health and Safety Ministers**

**27 October 2023**

1. Commonwealth, state and territory work health and safety (WHS) Ministers met today to discuss a range of important issues impacting the health and safety of workers.
2. The meeting was chaired by the Hon Tony Burke MP, Commonwealth Minister for Employment and Workplace Relations.

*Silicosis*

1. Ministers affirmed their continued commitment to preventing worker exposure to respirable crystalline silica.
2. At their previous meeting on 28 February 2023, WHS Ministers requested Safe Work Australia prepare a further report on the impacts of a prohibition on the use of engineered stone under the model WHS laws, following agreement to a range of regulatory and non-regulatory reforms to better protect workers from exposure to respirable crystalline silica.
3. Ministers noted the delivery of Safe Work Australia’s Decision Regulation Impact Statement: *Prohibition on the use of engineered stone* (Decision RIS) and thanked Safe Work Australia for its work in preparing the report.
4. For further information on the Decision RIS, please refer to [Safe Work Australia’s website](https://www.safeworkaustralia.gov.au/doc/decision-regulation-impact-statement-prohibition-use-engineered-stone).
5. Ministers discussed the detailed analysis in the Decision RIS and acknowledged the need for careful Ministerial consideration of the broader impacts a prohibition on the use of engineered stone may have on workers and businesses in the industry, as well as consumers.
6. Ministers agreed to the publication of the Decision RIS, noting the increased public interest in the report, to ensure public debate is informed by the expert analysis set out in the report ahead of agreeing a national policy position.
7. Ministers discussed the need for clear and accessible information to inform public debate, and agreed to request Safe Work Australia lead national coordination of WHS communications to support the publication of the Decision RIS.
8. Ministers acknowledged the importance of addressing engineered stone workers’ exposure to respirable crystalline silica and the significance of the findings set out in the Decision RIS. Ministers agreed to meet again before the end of 2023 to settle a position on the options set out in the Decision RIS.

*Workplace fatalities*

1. **Ministers agreed to a discussion in 2024 on whether further work by Safe Work Australia is needed to improve the framework for investigating and prosecuting workplace deaths, and support for families following a workplace fatality.**
2. **Ministers noted that significant work has been undertaken at the national and jurisdictional level to** improve **the prevention, investigation and prosecution of workplace deaths, and support for families following a workplace death, including:**
	1. **The** development **by Safe Work Australia of National Principles to support families following an industrial death (National Principles).**
	2. **Amendments to the model WHS Act to:**
		1. **provide for an industrial manslaughter offence, with a majority of jurisdictions introducing or planning to introduce the offence**
		2. **include an alternative fault element of gross negligence in the** Category **1 offence, and**
		3. **provide** greater **transparency about investigations into serious workplace incidents.**
	3. **The establishment of a national repository on WHS prosecutions.**
3. **Ministers noted that there is an opportunity to learn from the different approaches adopted by jurisdictions, such as implementation of the National Principles, as well as considering how national WHS policy is informed by the lived experience of families who have lost loved ones following a workplace fatality and workers who have suffered from a serious workplace injury.**
4. **To inform future discussion on this issue in 2024, Ministers asked Safe Work Australia to undertake a stocktake of jurisdictional initiatives and reforms to improve the framework for investigating and prosecuting workplace deaths and serious injuries, and support for workers and families following a workplace fatality or serious injury. Ministers asked Safe Work Australia to provide advice by the end of April 2024 on what more could be done, with advice informed by consultation with affected workers and families.**

*Safe Work Australia*

1. Ministers acknowledged and thanked Ms Michelle Baxter PSM, whose term as Chief Executive Officer of Safe Work Australia ends on 31 October 2023. Ms Baxter has held the role since 2013.
2. Ministers welcomed the appointment of Ms Marie Boland as the new Chief Executive Officer of Safe Work Australia. Ms Boland’s five-year term will begin on 1 November 2023.