



Reporting Requirements

The National Code sets minimum standards that businesses must meet to be eligible for certain Australian Government building and construction work.

The National Code Implementation Guidelines provide supporting detail on compliance requirements.

See other ABCC fact sheets to determine when the National Code applies and which set of Guidelines to use.

This fact sheet is relevant to projects complying with the June 2006 Guidelines.

Workplaces should have reporting systems in place that cover four main areas:

1. suspected breaches of the National Code of Practice for the Construction Industry (National Code) and the Australian Government Implementation Guidelines for the National Code (Guidelines)
2. industrial or occupational health and safety (OHS) disputes which impact on or have the potential to impact on the construction program or costs
3. right of entry
4. freedom of association.

Not all of these reporting requirements may be relevant to your role on the worksite. However, it is important to be aware of the requirements and bring any issues to the attention of site management.

'Application of the National Code and Guidelines' should be a standing item for site and project meetings.

BREACHES OF THE NATIONAL CODE AND GUIDELINES

All levels of the building industry – head contractors, subcontractors, consultants, project managers and employees, have an obligation to report suspected breaches of the National Code to the Code Monitoring Group Secretariat. Failure to report can be a breach of the National Code.

INDUSTRIAL DISPUTES

Any disputes or disagreements relating to workplace relations or OHS matters must be reported to the principal client at the earliest opportunity.

RIGHT OF ENTRY

Site management should keep records of all requests by union officials to visit the site and full details of any visits that take place.

FREEDOM OF ASSOCIATION

Suspected breaches of the freedom of association provisions of the National Code and Guidelines or *Fair Work Act 2009* must be reported to the ABCC within 21 days of becoming aware of the suspected breach.

See ABCC fact sheet 'Freedom of Association in the Building and Construction Industry'.

ROLE OF THE ABCC

Site inspections and audits undertaken by the ABCC will include examination of the reporting systems that are in place as well as the practical reporting performance of site management.

CHECKLIST ITEMS:

The worksite has systems in place to report to the client and relevant authority:

- | | |
|---|--------|
| 1. alleged or suspected breaches of the National Code and Guidelines within 21 days | YES/NO |
| 2. industrial and OHS disputes | YES/NO |
| 3. right of entry by union officials | YES/NO |
| 4. freedom of association | YES/NO |

If you answered **NO** to any of these questions, the worksite may not comply with the National Code and Guidelines and you should contact the ABCC.

FURTHER INFORMATION

For more information see the 2006 Guidelines

- Section 5: Australian Government directly funded construction, and
- Section 6: Australian Government indirectly funded construction.

To make an enquiry or obtain copies of the National Code and Guidelines, fact sheets and other reference material, contact:

The Office of the Australian Building and Construction Commissioner

- Hotline: 1800 003 338
- Website: www.abcc.gov.au
- Email: enquiry@abcc.gov.au

The Department of Education, Employment and Workplace Relations

- National Code Mailbox: building@deewr.gov.au
- National Code Hotline: 1300 731 293

For an assessment of workplace arrangements for National Code compliance, visit

- Code Assessments Online:
www.deewr.gov.au/building



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