



Construction induction training Advice to property managers

All people carrying out 'construction work' must complete a construction induction training course as prescribed under the Occupational Safety and Health Regulations 1996.

The definition of construction work in the Regulations is very broad and for this reason, WorkSafe has issued some guidance to help people determine if the training is required. The guidance document is available on the [WorkSafe website](#).

A number of queries have been received from real estate agents, property managers and people who are contracted by agents to carry out work on residential premises. It is not possible to give a blanket "yes" or "no" in all situations, however, the following questions and answers should assist. They should be considered in conjunction with the existing guidance material.

As an agent, what do I need to take into account?

It is important to remember that anyone who either has control of a workplace or the capacity to exercise control, has what is known as a general duty of care to ensure to the extent practicable, that no-one is exposed to hazards. This includes providing supervision, instruction and training to enable the job to be done safely.

The nature of the contractual arrangement between the agent and a contractor therefore needs to be considered. While some agents may simply provide a service to owners who then make their own arrangements, others might have a more direct relationship with the contractor, that is, engage the contractor directly to do the work. The question to be asked is whether or not there is either control or the capacity to exercise control. If yes, then the agent must ensure their legal obligations are met in relation to induction training requirements when construction work is carried out.

How do I work out if someone I contract to do maintenance is required to do the training course?

As a rule of thumb it is important to remember that the regulations are designed to focus on areas where the risk of injury or disease is greatest and generally speaking, on what would be regarded as more traditional building and construction work – both domestic and commercial.

The WorkSafe guidance material on the website says to do an assessment whether or not construction work is being done and take into account things such as:

- What work is being done, how complex it is and whether the safety and health of the person doing the work or others might be put at risk?
- Whether the work being done is a key part of to the main business activity or something incidental?
- Whether the person doing the work is escorted or supervised; and
- What other construction activity is going on?

What are some examples of when construction induction training would be required?

This is most likely to be situations where the structure of the building is impacted or significant repair or maintenance work is undertaken. Examples might include a:

- roofing contractor replacing a roof,
- doing significant repair work or working on a renovation or extension;
- contractor installing a new pergola where there are very real risks of falls from height; and
- a bricklayer building a new internal, external or freestanding wall (as opposed to repairing some fretting mortar).

While WorkSafe's advice is to undertake an assessment, there clearly are instances where there is no expectation that completion of construction induction training is necessary. However the general duty of care obligations still apply to provide instruction and onsite induction.

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What are some examples where WorkSafe would not expect the training to be done?

Generally speaking, WorkSafe would not expect the training to be required for tasks such as a:

- plumber fixing a broken cistern;
- cleaner cleaning an existing property;
- locksmith changing locks;
- pest controller carrying out the annual inspection and treatment;
- lawn mowing contractor or gardener doing regular or general lawns & gardens upkeep;
- person replacing carpet or curtains;
- person cleaning flues and chimneys;
- person sealing shower places or baths;
- an electrician repairing existing or installing new switches or lights;

unless this work is carried out while there is significant maintenance being undertaken.

That said, if for example the electrician was working at heights and exposed to a significant risk of a fall from height, there would be a requirement to ensure the person had completed the training. Many such workers would ordinarily carry out work on other domestic or commercial construction sites and as such, would be expected to have done the training.

Some employers or agents might, for various reasons, insist on the training being completed, regardless of whether the individual worker thinks it is required. WorkSafe recognises this is a managerial decision.

Agents should also be aware that even when WorkSafe would not expect the construction induction training to be completed, the general duty of care obligations still apply and they should satisfy themselves that anyone they engage to do any work has been provided with sufficient instruction, supervision or training to complete the work safely.

Where can I get more information?

Check out WorkSafe's website or ring the Customer Service Centre on 1300 307 877

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