



Hon Jill Hennessy MP

Attorney-General
Minister for Workplace Safety

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Min Ref: WIC2338

Ms Danielle Staltari
Director
Adjudication
Australian Competition & Consumer Commission
23 Marcus Clarke Street
CANBERRA ACT 2601

By email: adjudication@accc.gov.au

Dear Ms Staltari

I am writing in regards to the Australian Engineered Stone Advisory Group's (AESAG) application to the Australian Competition & Consumer Commission (ACCC) for authorisation to:

- adopt industry accreditation standards for fabricators and stonemasons working with engineered stone;
- seek to require fabricators, to whom members of AESAG supply engineered stone to comply with health and safety practices under the "model" work health and safety laws when working with engineered stone in order to achieve accreditation; and
- consider whether to refuse to supply engineered stone where fabricators do not meet the Accreditation Standards.

Exposure to respirable crystalline silica (RCS) has had a debilitating effect on too many Victorian workers and their families with WorkSafe Victoria (WorkSafe) receiving 87 claims for silica-related diseases in 2019 alone. To address this, the Victorian Government has implemented a comprehensive action plan to reduce the risks of Victorian workers being exposed to RCS which has included:

- a compliance and enforcement blitz targeting high-risk workplaces;
- free health screening for Victoria's 1,400 stonemasons;
- a tough new compliance code for businesses working with silica; and
- an awareness campaign to highlight the risks of working with engineered stone.

As the Minister for Workplace Safety I am committed to ensuring that Victoria's occupational health and safety (OHS) laws protect workers from being exposed to unreasonable risks to their health and safety. Accordingly, I amended the Occupational Health and Safety Regulations 2017 (OHS Regulations) in August 2019 to introduce a prohibition on the uncontrolled use of power tools to cut, grind or abrasively polish engineered stone. I also ensured that the reduction to the national workplace exposure standard for RCS took immediate effect in Victoria in December 2019 so that Victorian workers would not continue to be exposed to levels of RCS that would increase their risk of developing silica-related diseases.

I have also asked WorkSafe Victoria to undertake a regulatory impact assessment in the first half of 2020 and based on this assessment, to provide me with advice as to whether any further amendments to the OHS Regulations (including a licensing scheme for engineered



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stone) would strengthen the regulatory framework applying to RCS and provide a net public benefit.

While it is encouraging to see industry taking steps to address the risks of RCS it is imperative that any measures taken result in safer workplaces for Victorian workers and do not impose unnecessary costs on businesses. I note that WorkSafe have raised a number of concerns about AESAG's proposed accreditation scheme in their submission to the ACCC. I share WorkSafe's concerns that the proposed accreditation scheme will not improve the safety of Victorian workplaces and accordingly oppose AESAG's application for authorisation.

Yours sincerely

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