



# INDUSTRIAL RELATIONS LEGAL NEWS BULLETIN

October /November 2003

## Home Warranty Insurance - The Grellman Enquiry

Earlier this year the New South Wales Government commissioned Mr. Richard Grellman to conduct an Inquiry into home warranty insurance and HIA made submissions to the Inquiry. The Government has now recommended a number of reforms which include:

- The maintenance of the private warranty scheme;
- The formation of a new independent board and Industry Advisory Council;
- Greater regulation of Insurers;
- Recommendations for a graded license system;
- Support for on-site dispute resolution.

## Continuing Professional Development

From 1 January 2004 all licensees will be required to undertake continuing professional development. Attached is an important Information Bulletin on Continuing Professional Development. Further information can be obtained from the HIA Industrial Relations and Legal Department (NSW).

## Building and Construction Industry Improvement Bill

The Federal Government has released draft legislation which implements 120 of the Royal Commission's recommendations. They include automatic cooling off periods after 2 weeks of industrial action, secret ballots before striking, the formation of the Australian Building and Construction Commission and the position of Federal Safety Commissioner. If passed the Bill will ensure that the rule of law prevails on building sites.

## Notification of Work Related Incidents

An Employer and/or an Occupier is required to report all work related accidents to WorkCover and/or the Insurer.

All serious incidents to a worker or a non worker (including a fatality, where a person is placed on life support, loses consciousness, is trapped in machinery, has serious burns) must be notified to WorkCover immediately, and to your workers compensation insurer within 48 hours. Non serious incidents to workers (involving injury or illness where workers compensation is payable) must be notified to the Insurer within 48 hours.

Incidents to non workers must be notified to WorkCover within 7 days, if the person is likely to be off work. Incidents without injury or illness to both workers and non workers that are serious must be notified to WorkCover immediately, or within 7 days if not life threatening.

## New Building Contracts in New South Wales

The Office of Fair Trading has indicated that new contracts will be in use as from 1 January 2004. There will be significant changes to the contracts, including the introduction of a consumer checklist, a cooling off period and dispute resolution procedures. When the proposed changes are finalised, HIA will print new contracts which will be available to members. Until the changes are finalised the current HIA contracts should continue to be used by members.

## Workers Compensation – 1 Changes to Premium Calculations and Grouping Provisions

HIA has recently commented on a WorkCover paper covering calculations for premiums and grouping provisions. HIA has joined with other Employer Associations to counter a number of the more contentious provisions that are to be introduced by July 2004.

## 2 Report to the New South Wales Government by McKinsey and Co.

The NSW Government commissioned a Report to seek ways in which the State's Workers compensation debt can be reduced. The Report's recommendations include: No privatisation of the Scheme until it achieves financial stability; restructure the insurers' role and allow new firms to come in; increase competition and openness in the Scheme.

## HIA "Big Plans" Website Launch

The purpose of the new "Big Plans" website is to communicate career opportunities in the Housing and Construction Industry to students and their families and teachers. The "Big Plans" website can be viewed at [www.bigplans.com.au](http://www.bigplans.com.au). If any member would like to display the "Big Plans" kit in a showroom or display home, please contact HIA on (02) 6249 6366.



**For further information  
Please contact HIA on 1300 650 620**