

September 11, 2023

The Hon Mick Gentleman MLA
Minister for Industrial Relations and Workplace Safety
GPO Box 1020,
Canberra, ACT 2601

Dear Minister,

RE: IMPORTANCE OF PROGRESSING THE AGREED IMPACT ANALYSIS OF SELECTED WORKPLACE EXPOSURE LIMITS (WELs)

I am writing to urge you to request and support an Impact Analysis (IA) for each of the following selected chemical Workplace Exposure Limits (WELs) reduction proposals:

1. Benzene - RIS required
2. Chlorine - RIS required
3. Copper (fumes, dusts, and mists) - RIS required
4. Formaldehyde - RIS required
5. Hydrogen cyanide - RIS required
6. Hydrogen sulfide - RIS required
7. Nitrogen dioxide - RIS required
8. Titanium dioxide - RIS required
9. Silica – RIS required

These nine chemicals are used in, and underpin significant parts of the Australian economy. Therefore it is vital that any changes to the WELs related to these chemicals be subjected to an IA. To that effect Safe Work Australia (SWA) informed its members, including industry and union representatives, that an Impact Analysis was required for WEL proposals for these chemicals.

The **Building Products Industry Council (BPIC)*** was relieved to receive this news as we are committed to providing a safe environment for workers, and for our member companies to continue to invest in employee health, safety and well-being. Furthermore, the building industry directly employs 243,300 people and a further 796,500 indirectly [August 2020], and has not observed any direct health-related impacts from the majority of the chemicals above from Australian operations that adhere to the existing WELs.

However, in April 2023, National Cabinet changed the Impact Analysis framework without industry consultation and it is our understanding that it is now a matter for individual State and Territory WHS Ministers to decide if an Impact Analysis is required or not.

Following the letter you received from ACCI and Ai Group regarding this issue on 5 July 2023, BPIC urges you to uphold the requirement for an Impact Analysis to be undertaken. It is essential to consider how such fundamental and far-reaching changes to the proposed reduced WELs will impact your Jurisdiction's economy generally and the viability of our building products industry specifically. An Impact Analysis for each of the nine chemicals will ensure they are fully informed when shaping WHS policy.

- If the reduced WELs were to proceed without an Impact Analysis, BPIC is extremely concerned about the following:
- The long-term impact on the building industry which manufactures essential building products for homes that are currently in high demand as the market responds to land supply constraints, labour shortage, recovering post COVID and high levels of immigration.
- The proposed WELs are the lowest of any other world-leading regulated economy and trading nation, including the UK & USA.
- Australia's building industry would face increased international competition, reduced output, significant cost increases and operational pressures from reduced WELs.
- The limited scope and speed of SWA's review, including no sector-specific cost/benefit analysis, and studies that do not reflect the Australian manufacturing sector.
- SWA has not quantified any improved health benefit for workers under reduced WELs. There does not appear to be a weight of evidence nor a clear scientific justification to support the proposed reduced WELs.

Minister, we respectfully urge you to request and support an Impact Analysis for each of the selected chemical WELs reduction proposals.

If you have any queries or would like to arrange a briefing to discuss, please contact me in the first instance.

Yours sincerely,



Rodger Hills
BPIC – Executive Officer

** BPIC is the national peak body representing Australia's leading building products industries and related services with members and associated companies directly employing over 243,300 Australians with more than 796,500 employed indirectly. Their collective industries are worth over \$67.3B in annual production to the Australian economy.*