Australian Government
Department of Employment and Workplace Relations

Frequently Asked Questions

Potential Commonwealth standards for the construction industry: Discussion Paper

On 1 May 2026, the Hon. Amanda Rishworth MP, Minister for Employment and Workplace Relations, announced the government's intention to consult on potential Commonwealth standards for the construction industry (construction standards).

The government is pursuing a broad reform agenda to address the range of challenges facing the construction industry and support lasting cultural change.

On 21 August 2026, the government released a discussion paper seeking feedback from stakeholders to support the design of a properly targeted framework that will focus Commonwealth action on areas where the Commonwealth can have the greatest impact on productivity, project delivery, workforce outcomes and systemic industry challenges, while avoiding unnecessary regulatory or administrative burden.

Stakeholder feedback on the discussion paper will inform any development of a potential model for construction standards and a later, second stage of consultation is expected to test the design and implementation of any proposed model.

Who can provide feedback?

Government invited submissions from all interested parties, including businesses, workers, unions, industry groups, state and territory governments, and members of the public.

How can I make a submission?

Submissions to the discussion paper on the construction standards closed on 16 October 2026.

Will submissions be published?

The department will publish submissions subject to confidentiality requests and applicable legal requirements. When making a submission, stakeholders should indicate if they do not wish for their submission to be published.

Legal requirements, such as those imposed by the *Freedom of Information Act 1982*, may affect the confidentiality of submissions.

How can I stay informed of next steps?

To receive updates about the NCIF's work, including next steps for the construction standards, please register your details with the NCIF's Register of Interest.

How will the construction standards interact with the Joint Construction Industry Charter?

The Joint Construction Industry Charter (the Charter) is a complementary and key initiative of the NCIF. The Charter is intended to set out shared goals and behavioural expectations for all industry participants. Any construction standards could set clear minimum expectations across the construction industry, particularly in relation to structural and systemic issues that require government oversight, regulation and enforcement.

The Charter – which is industry-led, not government imposed – could complement any construction standards by setting a benchmark for best-practice behaviour, culture, and performance. It could support industry to align decisions and behaviours with agreed expectations and demonstrate a commitment to acting in good faith.

The draft Charter was released for consultation on 21 August 2026. NCIF members led consultation across their stakeholder networks including employer groups, unions and wider industry.

Consultation on the draft Charter closed on 16 October 2026.

How will the construction standards interact with the Secure Australian Jobs Framework?

The Secure Australian Jobs Framework is not intended to apply to the construction industry. The Australian Government conducted a separate consultation process on the Secure Australian Jobs Framework.

How will the construction standards interact with the Future Made in Australia Community Benefit Principles?

The Future Made in Australia agenda (the agenda) is the Government's industry policy. The Government is making and guiding investments that sustain and build long term industrial capability in the country, and investments that support the energy system's path to emissions reduction.

The *Future Made in Australia Act 2024* establishes the Community Benefit Principles (the principles) to ensure public investment and the private investment it attracts delivers genuine and tangible benefits to local communities, workers and businesses.

The government will ensure any construction standards and the principles will align where possible where construction work is being undertaken as part of projects that qualify for Future Made in Australia support.

How will the construction standards interact with state and territory arrangements?

Decisions on how construction standards will be established, and the design, scope and implementation of construction standards have not been taken. This includes consideration of any interactions with state and territory regulatory frameworks. Future decision-making will be informed by outcomes of consultation on the construction standards.

The discussion paper

What did the government seek feedback on?

The discussion paper is structured around five themes and prompts stakeholders to respond to a series of questions. It seeks views on where construction standards could drive change and how construction standards could be designed to be effective, proportionate and practical.

Theme 1: Integrity and lawful conduct

- Preventing, identifying, reporting and responding to unlawful conduct and corruption, including offering bribery, inducements and improper influence
- Managing industrial and workforce issues through lawful processes
- Fit and proper person requirements, and
- Whistleblower protection

Theme 2: Productivity, fairness and industrial practices

- Enterprise bargaining processes
- Dispute resolution
- Subcontractor engagement
- Workplace flexibility
- Participation of women and under-represented groups, and
- Timely payment of subcontractors and suppliers

Theme 3: Workforce development and job quality

- Appropriate and inappropriate use of labour hire
- Apprenticeships and traineeships
- Skills and workforce development
- Workforce stability flexibility and job quality, and
- Workforce diversity, safety, wellbeing and psychosocial safety

Theme 4: Scope and application

- Construction activity and entities
- Thresholds, scaling mechanisms and proportionality
- Exclusions
- National consistency, and

- Intersection with the Joint Construction Industry Charter

Theme 5: Governance and compliance

- Mechanism for implementation
- Roles, powers and information-sharing arrangements for a joined-up compliance approach
- Monitoring, enforcement and consequences for non-compliance
- Flow-through obligations across contractual supply chains

How will construction standards be established?

Decisions on the design, scope and implementation of any construction standards have not been taken. Future decision-making will be informed by outcomes of consultation on the construction standards.

What activity could the construction standards apply to?

The government is not proposing a predetermined scope or model for any construction standards. Construction standards should be focused on areas where they can have most impact, yet do not create unnecessary regulatory or administrative burden.

Feedback from this consultation process will inform development of a potential model for construction standards and include consideration of scope and application.

How will government determine the impact of construction standards?

This consultation process was intended to ensure any construction standards are effective, proportionate and workable, while recognising the roles and responsibilities of other governments and industry participants.

The impacts of any construction standards are subject to final design parameters, including scope, application and compliance arrangements. A second stage of consultation is expected to test the design and implementation of any proposed model.

What is the next step?

Feedback from this consultation will inform any development of a potential model for construction standards. A second stage of consultation is expected to test the design and implementation of any proposed model.

National Construction Industry Forum

What is the National Construction Industry Forum (NCIF)?

The National Construction Industry Forum (NCIF) is the leading national tripartite forum in the building and construction industry. The NCIF was formed by the Australian Government to address the range of challenges in the industry and facilitate reform of the industry's culture. The NCIF brings together government, unions, and business to promote best practice, address systemic problems and drive reform to industry culture.

On 22 September 2025, the NCIF formally endorsed the Blueprint for the Future (the Blueprint). The Blueprint represents tripartite advice to government to address long-term issues and challenges facing the construction industry and sets out meaningful actions to build a stronger, safer and more inclusive industry.

How does the work of the NCIF relate to the development of construction standards?

This consultation process is part of the government's consideration of whether construction standards could support implementation of Blueprint priorities, including through legislative, regulatory, procurement or other Commonwealth mechanisms.

More information

What are "fit and proper" party requirements?

These are typically requirements applied by regulators to ensure parties in positions of responsibility are competent, of good character, and law-abiding.

Is the government considering additional whistleblower protections?

The consultation sought feedback on whether changes to reporting pathways, protections, or accountability mechanisms would improve the reporting and detection of unlawful conduct and help ensure workers and businesses can raise concerns without fear of retaliation.

Is the government proposing changes to enterprise bargaining laws?

The consultation sought feedback on potential measures that support lawful and fair workplace relations processes.

Will employers be required to have enterprise agreements with unions?

No. The government has no intention of requiring employers to enter an enterprise agreement covered by a registered employee organisation as a condition of receiving Commonwealth government funding for federally funded building and construction work. The government has no intention of replicating Queensland's former Best Practice Industry Conditions Scheme.

Will the government preference employers that have enterprise agreements with unions?

No. The government has no intention of preferencing employers that have an enterprise agreement covered by a registered employee organisation when considering contractors tendering for federally funded building and construction work.

How could construction standards support women in construction?

The consultation sought feedback on workplace practices, flexibility, culture and other reforms that could improve the attraction, retention and advancement of women in the industry.

Are apprenticeships part of the consultation?

Yes. The consultation sought feedback on measures that could support apprentice engagement, completion and progression in the construction industry.

Why is labour hire being considered?

The discussion paper identifies inappropriate use of labour hire as an issue raised by stakeholders and seeks feedback on how workforce flexibility can be balanced with secure, productive employment.

Why are subcontractor and supplier payments being considered?

Stakeholders have raised concerns regarding payment practices. Delayed or incomplete payment of subcontractors and suppliers, along with the disproportionate allocation of risk can affect cash flow, business viability, competition and project performance, particularly for smaller businesses operating within construction supply chains.

The consultation sought feedback on measures that could improve timely and full payment of subcontractors and suppliers.

Would the standards apply to all industry participants?

The consultation sought feedback on which entities should be covered by any construction standards, including clients, developers, funders, head contractors, subcontractors, labour hire providers, consultants, registered employee and employer organisations and/or other industry participants.

Will there be exemptions?

The consultation sought stakeholder views on whether particular project types, organisations or activities should be exempt from some or all requirements.

Will small businesses be affected?

The consultation sought feedback on potential regulatory burden and whether thresholds or exemptions may be appropriate for different project types, organisations or activities.

How would compliance be monitored and enforced?

The consultation sought feedback on the role of existing regulators and agencies, how compliance and enforcement arrangements could be coordinated, and responses to non-compliance.

How can I report misconduct in the construction industry?

Concerns of misconduct in the construction industry should be reported to the relevant regulator, or local law enforcement if it is a criminal matter.

Many regulators accept anonymous reports. The Fair Work Ombudsman can provide guidance and direction for people raising concerns to the appropriate regulator.

Report:

- criminal behaviour, threats, violence, corruption, fraud or organised crime to your state or territory police service. In an emergency, call 000. To report a crime, call the Police Assistance Line on 131 444
- underpayments, wage theft, sham contracting, coercion or other workplace law breaches to the Fair Work Ombudsman
- concerns about union conduct to the Fair Work Commission.
- phoenix activity, tax evasion, cash-in-hand arrangements or other tax-related misconduct to the Australian Taxation Office
- financial crime, corporate misconduct, insolvent trading or breaches of directors' duties and other possible contraventions of corporations law to the Australian Securities and Investments Commission
- unsafe work practices or serious safety risks to your state or territory work health and safety regulator.