

**Employment portfolio QoN list
2016-2017 Additional Estimates
Questions on Notice = 130**

PDR No	Hansard reference	Senator	Outcome	Subject	Full Question Text
EMSQ17-001462	1-7-2	Marshall, Gavin	Agency - Fair Work Commission	FWC - Process to vary an Enterprise Agreement	Senator MARSHALL: If it is a postal vote, are there guidelines set out for how long it takes to put it in the post and to get to people and then for people to fill it out and the return process? Is that stipulated or is that just made up as we go? Mr Furlong: I will have to confirm that, but the essence is that the access period is still the seven days and the variation needs to be provided before any voters are -
EMSQ17-001463	1-7-3	Marshall, Gavin	Agency - Fair Work Commission	FWC - Ballot Period Time	Senator MARSHALL: I am just trying to work out whether a length of time is required for the ballot period to take place. Mr Furlong: I will confirm that during this sitting.
EMSQ17-001464	1-7-4	Cameron, Doug	Agency - Fair Work Commission	FWC - Members considering applications for approval	Senator CAMERON: How many commissioners or deputy presidents - I am not sure what you call them now - do you have available who would normally deal with agreements? Ms O'Neill: There are 40 members of the commission at present. In terms of the allocation of work to approve enterprise agreements, the numbers and individuals change from time to time. I do not have with me at the moment the precise number of members that are presently considering applications for approval of agreements, but I am happy to take that on notice.

EMSQ17-001465	1-8-2	Cameron, Doug	Agency - Fair Work Commission	FWC - Commission members allocated to the building and construction industry	Senator CAMERON: How many members of the commission are allocated to the building and construction sector? Ms O'Neill: I would have to take that on notice; I do not have that information with me.
EMSQ17-001466	1-9-2	Cameron, Doug	Agency - Fair Work Commission	FWC - Data on the termination of agreements	Senator CAMERON: Do you have any data in relation to the termination of agreements? Ms O'Neill: The short answer is, I think, no. Do you mean applications when the commission has - Senator CAMERON: Agreements that have been in force and are terminated. Ms O'Neill: By a decision of the commission? Senator CAMERON: Either by a decision of the commission or by agreement of the parties. Ms O'Neill: Certainly we would have no information about any agreements terminated other than by a formal decision of the commission. I am happy to take that on notice, but I certainly do not have any information about the number of such matters.
EMSQ17-001467	1-10-2	Cameron, Doug	Agency - Fair Work Commission	FWC - Process to change an agreement	Senator CAMERON: So the employer cannot take any action against a union or its members who say, 'We don't want to change the agreement.' There is nothing the employer can do legally. Ms O'Neill: I am not in a position to provide such a broad confirmation of the proposition that you have put. Senator CAMERON: Why not? Ms O'Neill: I am happy to take it on notice, but in terms of -
EMSQ17-001468	1-11-2	Cameron, Doug	Agency - Fair Work Commission	FWC - Applications to terminate agreements	Senator CAMERON: This year have you had, applications to terminate agreements? Ms O'Neill: I do not have that information; I do not have information about that. I am happy to take that on notice. I have been advised that in 2015-16 there were a total of 403 applications to terminate enterprise agreements across all industries.

EMSQ17-001469	1-11-3	Cameron, Doug	Agency - Fair Work Commission	FWC - Contested applications	Senator CAMERON: Sorry; I missed that. Ms O'Neill: I do not have information about the current year. I can advise that in 2015-16 there were a total of 403 applications to terminate enterprise agreements across all industries. Senator CAMERON: Have any of those applications been contested applications? Ms O'Neill: I will have to take that on notice, but there have been a couple of instances that have attracted a degree of media interest around applications to terminate enterprise agreements.
EMSQ17-001470	1-12-2	Cameron, Doug	Agency - Fair Work Commission	FWC - Full bench appeals process	Senator CAMERON: What is the normal period for a full bench to convene, sit and hear an application from when it is made to the full bench? Ms O'Neill: I cannot answer that; I am happy to take it on notice. But certainly -
EMSQ17-001471	1-12-3	Cameron, Doug	Agency - Fair Work Commission	FWC - Penalty Rates appeals process	Senator CAMERON: I have one follow-up question on the decision on penalty rates in the retail and other sectors, a controversial decision. What are the appeal processes for that? Ms O'Neill: That is actually not a question I can answer, although I am happy to take it on notice.
EMSQ17-001472	1-14-2	Paterson, James	Agency - Fair Work Commission	FWC - Australian Workers union membership audit	Mr Enright: I have requested the AWU to audit their membership over the period that I have identified, between 2009 and 2015. I have advised the union that I will be engaging further with it in relation to the matter, so I cannot confirm whether they are actually doing that or not. I expect that it is being done. I have undertaken to re-engage with the union to ascertain that it has been done. Senator PATERSON: When did you ask them to commence the audit? Mr Enright: I do not have those materials in front me, but it was around the time of that article that you are referring to. This was a proactive measure by the commission. I have identified issues in relation to the membership of that particular union, so I wrote to them and I told them what those concerns were. The union responded to me advising me that they believed it to be an error. My response to that was that it is not sufficient simply for the union to acknowledge an error and that an audit was required. So that is what I expect is occurring; my

					<p>expectation is that that is going on at present. Senator PATERSON: Perhaps you can take on notice the exact date that you raised it with them. But, for our purposes today, is 'late last year' a fair way of referring to it?</p>
EMSQ17-001473	1-14-3	Paterson, James	Agency - Fair Work Commission	FWC - Australian Workers Union Victorian Branch membership	<p>Senator PATERSON: You may need to take this on notice: what was the level of membership of the Australian Workers Union Victorian branch in the years 2007, 2008, 2009, 2010 and currently? Mr Enright: I will need to take that on notice. I do not have those statistics in front of me.</p>
EMSQ17-001474	1-16-2	Paterson, James	Agency - Fair Work Commission	FWC - Unions affiliated with the Australian Labour Party	<p>Senator PATERSON: It is also the case that a union affiliated to the Australian Labor Party would have more votes in an internal Labor Party forum if it had more members, isn't it? Mr Enright: That is an allegation that has been aired publicly in newspapers and other media reports that I have read. Again, it is not the Fair Work Commission's perspective. It is allegations that we are aware of, and we need to be aware of them because we are very interested in ensuring a high rate of compliance by organisations with their membership reporting. Senator PATERSON: Are there any other unions at the moment that you are investigating in this manner? Mr Enright: I would be reluctant to disclose that. Perhaps I could take that on notice. The inquiries being conducted by the commission may or may not be in the public forum; the ones that we have discussed here are. I would take that on notice. Senator PATERSON: Why would you be reluctant to disclose it? Mr Enright: Every regulator, I imagine, would be conducting inquiries on any number of topics and it may be in the interests of any inquiries being conducted that that matter not be</p>

					revealed to the public at any particular time.
EMSQ17-001475	1-19-2	Roberts, Malcolm	Agency - Fair Work Commission	FWC - Pay rise dispute in enterprise agreements	<p>Senator ROBERTS: Perhaps I could get on to something else. I have been looking at the door quite a bit; I have been expecting some details, but unfortunately they have not arrived. I have one question to ask. I am apologising in advance for my lack of details on this question, but it is a broader question. I understand that there is a union operating nationally and it has come to an agreement with, I think, TasPorts in Tasmania. Their members accepted last year a two per cent pay rise and they are happy to just get on with it and sign an EA and go. However, they have been denied that rise because apparently a larger union, the MUA, is negotiating and hanging out for a three per cent pay rise with TasPorts. The members of the smaller union, the AIMPE, do not have the pay rise that they were happy to settle on sometime last year. How do those things get resolved these days? Is this a big union cuddling up to big business to control the smaller union? Ms O'Neill: I might actually take that on notice, if you do not mind. Senator ROBERTS: Excuse me for interrupting but, perhaps when I get more details, I could forward them. So I put that on notice to you.</p>

EMSQ17-001476	1-23-2	McKenzie, Bridget	Agency - Fair Work Commission	FWC - Enterprise agreement approvals by Commissioners	CHAIR: Okay. So you are not aware of any case within the commission's work where an enterprise agreement has been approved by one commissioner and unapproved by another? Ms O'Neill: I am racking my memory banks here, Senator - CHAIR: That would be good. Ms O'Neill: so I will take this on notice. I actually think there was one occasion some years ago where the same application was effectively lodged in two places and was allocated to different members, who came to different results. That is the only occasion that I can think of where that matter may arise.
EMSQ17-001477	1-30-2	Hinch, Derryn	Agency - Fair Work Commission	FWC - McDonalds penalty rates	Senator HINCH: Speaking of fast food outlets, can you confirm that in an EBA overseen by Bill Shorten that 100,000 McDonald's employees forfeited penalty rates from Sundays to improve conditions elsewhere in their contract? Ms O'Neill: I would have to take that on notice because I do not know about Mr Shorten's involvement or otherwise. As I was indicating -
EMSQ17-001478	1-34-2	Cameron, Doug	Agency - Fair Work Ombudsman	FWO - Construction industry campaign - enforcement actions	Senator CAMERON: I have a quick one before we go to the main issues here. Back in 2015 you carried out the national construction industry campaign report on apprentices. Remember that? ... Ms McAlary-Smith: Enforcement action with respect to those businesses. Senator CAMERON: How many enforcement actions have you undertaken? Ms McAlary-Smith: I would need to take that on notice, specifically for those ones coming out of that campaign. Senator
EMSQ17-001479	1-34-3	Cameron, Doug	Agency - Fair Work Ombudsman	FWO - Details of attendance at union events	Senator CAMERON: Can you provide details of what union events you have attended, what information you have provided and has the situation, that dreadful situation for apprentices, improved? Ms McAlary-Smith: Certainly I can take that on notice.
EMSQ17-001480	1-34-4	Cameron, Doug	Agency - Fair Work Ombudsman	FWO - Campaign improvements	Ms McAlary-Smith: I think there has been movement from the earlier campaign which we discussed a couple of years ago. There has certainly been improvement. There is no question there is still room to go. Senator CAMERON: On notice then can you provide the details of what the improvements are? Ms McAlary-

					Smith: Yes.
EMSQ17-001481	1-37-2	Cameron, Doug	Agency - Fair Work Ombudsman	FWO - Building and contraction reports	Senator CAMERON: Is there a report that you could provide to the committee about what the nature of these complaints was and how much was recovered? Ms James: We can certainly give you that overall data. I can go back a couple of years, if you like. As to whether we can provide you with more, I will take that on notice. I am sure we could give a flavour of the nature of the matters that we have dealt with and probably break them down into different types, if you like.
EMSQ17-001482	1-39-2	Rice, Janet	Outcome 2 - Workplace Relations and Economic Strategy	Growcom meeting	Senator RICE: Did Growcom meet with the minister before the grants process was finalised? Ms James: I have no idea, Senator. Senator RICE: Minister? Senator Cash: I do not believe so. I will take that on notice, though, to see if they met with the department.
EMSQ17-001483	1-39-3	Rice, Janet	Agency - Fair Work Ombudsman	FWO - Meeting with Growcom and the Fairwork Ombudsman office	Senator RICE: Did they meet with anyone from your office - anyone associated with the grants program? Ms James: I am not sure about that. I will take it on notice. Senator RICE: Okay. If there were such meetings, were there any similar meetings held with the Queensland Working Women's centre? Ms James: I will take that on notice as well, Senator.

EMSQ17-001484	1-41-2	Rice, Janet	Agency - Fair Work Ombudsman	FWO - Domino's investigation	<p>Senator RICE: Yes. Have you requested the names of the franchisees that have underpaid workers? ACTING CHAIR (Senator Marshall): I think Mr Campbell has said he is not going to answer that. If you want to insist, I will ask him to make a claim of public interest immunity. Senator Cash: He is not trying to obfuscate. Chair, rather than go down the public interest immunity claim path, which I am happy to support if required, perhaps he could take it on notice and see what information is able to be provided without compromising the integrity of the investigation. That is all that it is about, on my analysis, listening to the evidence. ACTING CHAIR: Senator Rice, does that satisfy you? Senator Cash: And we can come back to you on this. It will not be today, obviously. If we could take advice? You are asking very genuine questions - Senator RICE: Yes. I just want to know whether - Senator Cash: Absolutely. We are all concerned. So perhaps we can take some advice as to what we can provide and get back to Senator Rice - if you are happy with that, Acting Chair. ACTING CHAIR: Yes. If you cannot provide it, I think you just need to outline the reasons why it is not in the public interest to do so. Senator Cash: If you are happy with that, yes. Senator RICE: Okay.</p>
EMSQ17-001485	1-41-3	Rice, Janet	Agency - Fair Work Ombudsman	FWO - SMH article underpayment of workers	<p>Senator RICE: In the Sydney Morning Herald, the biggest New South Wales franchisee - I do not have this information here - was named as underpaying workers. Are you investigating that particular franchisee? Mr Campbell: I do not have that information to hand. ACTING CHAIR: Will you take that on notice? Senator RICE: Can you take that on notice? Mr Campbell: I am happy to take it on notice.</p>
EMSQ17-001486	1-42-2	Rice, Janet	Agency - Fair Work Ombudsman	FWO - Domino's underpaid workers	<p>Mr Campbell: Where we identified a general underpayment, the intention was that Domino's would work with the franchise to deal with that and report back to us in due course on the findings of that referral. Where there is serious noncompliance, we do not refer it to Domino's or any other employer to investigate. Senator RICE: Of those employees, how many would have come to you?</p>

					Mr Campbell: Again, I do not have those numbers to hand, but I am happy to take them on notice. Senator RICE: Because it is a concern if you are basically just referring them to Domino's if there
EMSQ17-001487	1-44-3	Marshall, Gavin	Agency - Fair Work Ombudsman	FWO - Working Women's Centre funding	<p>Senator MARSHALL: Thank you. I have one last question in this area. Of the working women's centres that did not receive funding and that were in operation, do you know how many have ceased operating as a result of not achieving funding? Mr O'Shea: I can confirm that, to the best of my understanding, there has not been any working women's centre that has closed as a result of this decision. My understanding is that there are three working women's centres - Northern Territory, South Australia and Queensland. The Northern Territory and South Australian centres are still receiving funding under the new program. The Queensland working women's centre is not receiving funding under our program, but they do receive funding from other sources. The Fair Work Ombudsman is not their only source of funding. They have private funding, as I believe, and significant funding from the Queensland government. Senator MARSHALL: Maybe it is unfair to ask you to do this, but it is better than me doing it. Senator Cash: You do not have to be quite so honest, Senator. Keep the facade. Senator MARSHALL: I think Senator Rice said a number of times that they are going to close their doors. Could you maybe just take on notice and find out whether that is the case? Mr O'Shea: My understanding is that that is not the case, but I will find out. Senator Cash: Senator Marshall, I will seek advice on that as well because I was surprised by that claim. My understanding is that the Commonwealth or the FWO is not the only source of funding. Senator MARSHALL: That is correct. Senator Cash: Perhaps we could also find out the other sources of funding to make the picture complete. Mr O'Shea: These are</p>

					<p>community organisations and they receive funding from a lot of sources. Some of it is public, like the funding that we give them and the Queensland government give them. But my understanding - Senator MARSHALL: You are making it sound now like there is plenty of money for community resources. Mr O'Shea: That is not what I am trying to do. Senator Cash: No. Just other sources.</p>
<p>EMSQ17-001488</p>	<p>1-45-2</p>	<p>Paterson, James</p>	<p>Agency - Fair Work Ombudsman</p>	<p>FWO - Transport Workers Union contact</p>	<p>Senator PATERSON: I do. I would like to ask some questions about a contract that was entered into by the Fair Work Ombudsman with the Transport Workers Union under the previous government. It relates to promoting the Road Safety Remuneration Tribunal. I believe it was for a value of about \$222,000. Are you familiar with that contract, Ms James? ... Ms James: This is right. So an app was designed and, due to a range of interventions, it was never released. Then it became redundant, so to speak. It is a suboptimal outcome to have taxpayers' money expended in a way that does not have the utility you would prefer. I am not sure - and I would need to check - whether the Transport Workers Union provided any other generic services under the contract. Senator PATERSON: On notice, if you could provide that, that would be good.</p>

EMSQ17-001489	1-46-2	Paterson, James	Agency - Fair Work Ombudsman	FWO - Transport Workers Union contract cost	Senator PATERSON: I have a few other questions on this. The contract states at clause 2.2 that the TWU will be paid the money by 16 June 2014 upon the receipt by the Fair Work Ombudsman of an receipt by the TWU. To your knowledge, did the TWU provide that receipt? Then was the money paid? Ms James: I will need to take that on notice. But money was certainly paid under the contract. Senator PATERSON: I appreciate that you will take that on notice. Could you also take on notice whether if they did provide a receipt, it itemised exactly what was spent and how much each item of expenditure cost? Ms James: Yes.
EMSQ17-001490	1-46-3	Paterson, James	Agency - Fair Work Ombudsman	FWO - Transport Workers Union contract progress report	Senator PATERSON: The contract further states at schedule 1(c) that the TWU would provide some progress reports to the Fair Work Ombudsman at the two-, six- and nine-month point of the contract and that a final report was due by 13 June 2014. So, by my recollection, that means that four progress reports were required. Do you know if they were ever submitted? Ms James: I will take that on notice. I am aware that there were ongoing conversations. Whether they meet the requirements of the contract is something I will need to take on notice. Senator PATERSON: So if those progress reports were provided, could you please provide them to the committee on notice as well?
EMSQ17-001491	1-46-4	Paterson, James	Agency - Fair Work Ombudsman	FWO - Transport Workers Union contract obligations	Senator PATERSON: It is funny that you should mention that. Clause 20.1 of the contract, which deals with default by other parties, states: If either party is in default under this contract on account of the failure to perform or observe any obligation or undertaking to be performed or observed on its part under this contract, the party not in default may terminate the contract in whole or in part. Obviously, this is going to get to a definitional issue here. In providing an unfinished app not suitable for public release to you, did they discharge their obligations under the contract? Senator MARSHALL: That is definitely a legal opinion. Ms James: Yes. We would take that on notice.

EMSQ17-001492	1-46-5	Paterson, James	Agency - Fair Work Ombudsman	FWO - Transport Workers Union contract termination	Senator PATERSON: And I am interested in understanding - and perhaps this will need to be on notice - why no action was taken to terminate the contract, given that taxpayers paid money for a product and the product was never delivered, certainly not to taxpayers or the public; it was never made available in a material sense. So work was done, the TWU has this money and we have got nothing out of it. It would seem to me at least that that is something that some sort of resolution needs to be reached over. Ms James: We will take that on notice.
EMSQ17-001493	1-46-6	Marshall, Gavin	Agency - Fair Work Ombudsman	FWO - Transport Workers Union contract releasing the application	Senator MARSHALL: On the same issue: whose decision was it not to release the app? Ms James: I will need to take that on notice. It is a good point. They were producing the product, but we and the RSRT were stakeholders in its release. I have already outlined that the RSRT had some concerns at a particular point. I will need to check whether the TWU have the capacity to release it irrespective of that. I will need to take that on notice. It is not uncommon with material for us to clear material for release to make sure that it is appropriate and accurate, so to speak, so I will take that on notice as well. Senator MARSHALL: Thank you.
EMSQ17-001494	1-47-2	Paterson, James	Agency - Fair Work Ombudsman	FWO - Social media contract	Senator PATERSON: Sure. That is quite innovative. Are you aware of a contract from June 2016 to a company called Dentsu Mitchell for media and social media services worth \$22,000? Ms James: I am not personally aware. We do have a number of contracts to support our communications efforts. Ms Hannah: We have media monitoring contracts, but I would need to go back and check the details of exactly this contract. Senator PATERSON: So Dentsu Mitchell does not ring a bell to anyone at the table? Ms Hannah: No. Senator PATERSON: It specifies that it is for media and social media services. I guess that could be media monitoring, but I do not recognise them as a media monitoring organisation. There is only a handful of those in Australia - big ones like Isentia. Do you have a company that you use for media monitoring? Ms Hannah: Yes, we do. Senator PATERSON: And who is that? Ms Hannah:

					Isentia, as far as I am aware. I would have to go back and check, so I will take that on notice. Senator PATERSON: It does not sound like you would also need these people, but maybe they do social media monitoring for you. I do not know. It does not ring any bells? Ms Hannah: No. It does not ring any bells at the moment. Senator PATERSON: On notice, then, I would be interested in knowing what was provided for that \$22,000. For how long was the company engaged? In particular, what social media services were provided by the company? Is it monitoring or the production of material? That would be helpful. Ms Hannah: Yes.
EMSQ17-001497	1-48-2	Marshall, Gavin	Agency - Fair Work Ombudsman	FWO - ABCC Advisory services	Senator MARSHALL: I understand the point that you make. It is all right that you see that it is critical for that to happen. But there is an act of parliament which sort of trumps any of those desires. So I am again asking: are you absolutely satisfied that that arrangement does not contravene the act, which is pretty clear about the obligations of the ABCC picking up these matters? Ms James: I do not believe that it is inconsistent with the act. I am happy to seek further counsel on that. We did -
EMSQ17-001498	1-49-2	Marshall, Gavin	Agency - Fair Work Ombudsman	FWO - ABCC referral procedures	Mr Campbell: And we have settled the detail of the transfer arrangements as in who gets the file, who you send it to, which email account and that type of detail. Senator MARSHALL: So they are all internal processes. There are no policy documents or anything that you could show us on how it works? I am not interested in knowing your staff working documents. Is there an overall protocol? Mr Campbell: No. We can give it to you. It is a very basic procedure. It is just there to actually assist our staff, so we are happy to give you a copy of it. It is no problem.

EMSQ17-001499	1-52-2	Marshall, Gavin	Agency - Fair Work Ombudsman	FWO - Migrant Workers Taskforce- timeframe for the project	Senator MARSHALL: So do we have a time frame for the project? Mr O'Shea: My understanding is that the current planning is for an outcome of the research program to be delivered, I think, in September or October, but I will need to take that on notice. As I said earlier, it is still in draft form, but that is the planning.
EMSQ17-001495	1-58-2	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - Details on advice provided on Agreements	Ms Cato: I am happy to talk to these issues, if you like. With respect to how many agreements are in the industry, I think that is not a matter that we monitor. What we do have oversight of is those that come to the agency for advice - contractors that seek advice from the agency. We give advice to them on code compliance. We are able to give you statistics in that respect. Senator CAMERON: Okay. On notice, can you provide me details of all the agreements that have come before you for advice? Ms Cato: We have approximately 335 requests for preliminary advice on draft agreements. Senator CAMERON: Can you provide me a list of what companies have sought that advice? Ms Cato: I will have to take that on notice.
EMSQ17-001496	1-59-2	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - Staff Background	Senator CAMERON: What are the backgrounds of these 10 people who do the assessments? Ms Cato: Most of them are lawyers. Some of them are experienced policy officers from the department who have done this for some time. Two of them are experienced investigators who have a good understanding of the work in this area. Senator CAMERON: So how many are lawyers? Ms Cato: How many are lawyers? I will take that on notice. The majority of them are lawyers. Senator CAMERON: So do these lawyers have previous industrial relations experience? Ms Cato: Some of them have. Senator CAMERON: How many? Ms Cato: I will take that on notice.

EMSQ17-001500	1-59-2	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - Investigators prior experience	Senator CAMERON: Have the investigators had industrial relations experience? .. Senator CAMERON: So they have had no experience in the industry or in industrial relations prior to becoming investigators? Ms Cato: I will have to take that on notice.
EMSQ17-001501	1-60-2	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - Figures on Assessments	Senator CAMERON: Four and five people. So it comes in in the email portal and it goes to these four or five people. How many agreements did you assess last year? Ms Cato: Last year? I will have to take that on notice. I do not have the figures for that.
EMSQ17-001502	1-64-2	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - Length of time agreement has sat with ABCC	Senator CAMERON: Still, there could be agreements that take 10 weeks. What is the longest time that an agreement has sat in the ABCC, or the Fair Work Building Commission? How long? What is the longest? Ms Cato: I do not know the exact answer to that. This new law came in on 2 December so - .. Senator CAMERON: What is the longest that you have had an agreement waiting to be processed? Ms Cato: My best guess is 10 weeks. Senator CAMERON: Ten weeks? Ms Cato: Yes. That is my best guess, but I could take that on notice. CHAIR: Would you like to take that on notice to get an accurate figure for us? Ms Cato: Yes. I am happy to do that.
EMSQ17-001503	1-66-2	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - Coverage of the Act	Senator CAMERON: So a builder who normally does residential work signs off on the code because that company might be doing a small bit of work on a construction site. They go back and build 300 homes. All of those residential homes are covered by the ABCC? Ms Cato: It would depend on whether or not all of those homes come within the definition of building work. I would have to get advice. On a case by case basis you would have to look at whether or not the particular project was one project that took it to three or more - is it two or three more?

EMSQ17-001504	1-69-2	Paterson, James	Agency - Australian Building and Construction Commission	ABCC - Penalties issued by courts	Senator PATERSON: So in the last full financial year, 2015-16, what was the dollar amount of penalties issued by courts in cases brought by the ABCC or, obviously, in this case, its predecessor, the FWBC? Mr Hadgkiss: Almost \$2 million - \$1.8 million, to be precise - was handed down. Senator PATERSON: And of that \$1.8 million, how much was imposed against the CFMEU? Mr Hadgkiss: I would have to take that on notice. It has been the vast majority.
EMSQ17-001505	1-70-2	Paterson, James	Agency - Australian Building and Construction Commission	ABCC - Reduction in fees	Senator PATERSON: Had Mr Shorten and the parliament, as Senator Cameron points out, not reduced the rate of the penalties and the rate that was in place prior to that had continued to be in place, what is the total difference between that \$7.9 million of fines and the rate that would have applied? Mr Hadgkiss: Well, they were reduced by 60 per cent, so you can extrapolate that. I would have to take that on notice. Generally, they would reduce by 60 per cent. Senator PATERSON: I see an officer standing behind you. Is that an answer you have there? Take that on notice. What I am interested to know is effectively how much unions that contravened the law saved thanks to that reduction in penalties. Had the penalties not been reduced, the figure would have been higher. How much higher would that have been? Effectively, what was the gift to those unions that allowed them to contravene the law at a lower cost?
EMSQ17-001506	1-72-2	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - Travel to Adelaide	Senator CAMERON: Sixty-seven cents a kilometre. What does that work out, Mr O'Keeffe, for a return trip to Adelaide? .. Mr O'Keeffe: I would have to take it on notice, I am sorry. I do not know the kilometres to Adelaide.

EMSQ17-001507	1-73-2	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - Yearly Travel	Senator CAMERON: So in terms of this travel that you do once a year, do you go about the same time each year? Mr Hadgkiss: I would have to take that on notice.
EMSQ17-001508	1-75-2	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - Accommodation costs	Senator CAMERON: You could not go there and back, so there would be accommodation. What is the cost of the accommodation? Mr Hadgkiss: It is set by the tribunal. Senator CAMERON: And what is that? How much do you claim? Mr Hadgkiss: I would have to take that on notice.
EMSQ17-001509	1-76-2	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - travel and function costs	Senator CAMERON: Mr O'Keeffe, can you provide details to the Senate as to the functions that Mr Hadgkiss and his wife attended? How much did he actually claim in terms of petrol allowance? What did it cost in accommodation? Were there any other meals or anything claimed during that period? Mr O'Keeffe: Yes. I will take that on notice.
EMSQ17-001510	1-76-3	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - interstate travel	Senator CAMERON: Given that he has just decided that he will advise you, can you go back to the period prior to when Mr Hadgkiss decided to do what every public servant in the country does, prior to the period when he decided he was not going to be accountable? Can you tell me when he went to Canberra or Adelaide in previous years? Can you do that? .. Senator CAMERON: I want to know every trip that Mr Hadgkiss has made interstate by car. I want to know the dates and I want to know why he was travelling - the purpose of the travel - since he has been either the head of Fair Work Building and Construction or the ABCC. Are you advised that he takes his wife with him? .. Mr O'Keeffe: So how far am I going back, Senator Cameron? I want to clarify that. Senator CAMERON: For all of the period that Mr Hadgkiss has headed up either Fair Work Building and Construction or the Australian Building and Construction Commission.

EMSQ17-001594	1-81-2	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - Support Staff at Audit committees	<p>Senator CAMERON: Mr Hadgkiss, what are they there for? Mr Hadgkiss: To provide support to me and to the audit committee. Senator CAMERON: What type of support? Mr Hadgkiss: Writing of minutes. They attend the audit committee. We keep minutes of the meeting. They brief the audit committee on matters pertaining to audit. Senator CAMERON: We will go from a situation where no-one travelled with you. Mr Hadgkiss: I think the chief operating officer may on occasions have accompanied me to audit committee meetings. Senator CAMERON: I would not consider him junior staff, would you? Mr Hadgkiss: I am correcting the record. He is an SES officer, yes. Senator CAMERON: Can you provide on notice how many people travel to these audit committees? For any travel that they do to accompany you, can you provide on notice the exact details of what they do with you when they go there; how much it costs to have them travel; what accommodation is involved; and if there are any meals involved? Can that be done? Mr Hadgkiss: Yes.</p>
EMSQ17-001512	1-84-2	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - Outlook Calendar	<p>Senator CAMERON: So can you provide the Outlook calendar for Mr Hadgkiss from the period he was employed or engaged or appointed as, first of all, the fair work building commissioner and then the ABCC commissioner? All Outlook diary entries? Mr O'Keeffe: Yes. I will take that on notice.</p>
EMSQ17-001514	1-87-2	Cameron, Doug	Cross Portfolio	Calendar and diaries in the APS	<p>Senator CAMERON: Are there any Public Service rules in relation to calendars and diaries? Ms Parker: Not that I am aware of. We are accountable for what we spend and what we attend. But I do not believe so. Would you like me to check and take that on notice? Senator CAMERON: If you could take that on notice, that would be handy. Mr Hadgkiss, have you given any consideration as to whether you should maintain an official diary?</p>

EMSQ17-001519	1-88-2	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - formal presentations and stakeholders	<p>Senator CAMERON: So in your opening statement, you said that there have been 29 formal presentations. Mr Hadgkiss: Yes.</p> <p>Senator CAMERON: How many of them did you present? Mr Hadgkiss: I will have to take that on notice. Senator CAMERON: Is that because you do not have a diary and you cannot look at it? Mr Hadgkiss: As Mr O'Keeffe points out, I am an extremely busy individual. I attend many stakeholder meetings. I would have to take on notice the number of formal presentations since 2 December,. .. Senator CAMERON: Who were they with? Mr Hadgkiss: Last week, with the Australian Workers Union, the master builders, various associations. Senator CAMERON: Can we get a list of the stakeholders that you have met? Mr Hadgkiss: Yes.</p>
EMSQ17-001521	1-88-3	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - boardroom meetings	<p>Senator CAMERON: Can you then give me a list of the boardroom meetings that you had and who you met with? .. Senator CAMERON: What about 2014-15? Mr Hadgkiss: Again, I would have to take that on notice. Certainly from memory, maybe one or two.</p>
EMSQ17-001524	1-92-2	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - presentations	<p>Senator CAMERON: Well, what did you attend? Mr Hadgkiss: I presented on 50 occasions, as I say. Senator CAMERON: Okay. Who did you present to? Mr Hadgkiss: From large conferences to small boardrooms. Senator CAMERON: Who particularly? Mr Hadgkiss: It was in 2013-14. I do not have that at my fingertips. Senator CAMERON: Can you provide that on notice? Are you prepared to now provide that on notice? Mr Hadgkiss: I will endeavour to do that.</p>

EMSQ17-001526	1-92-3	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - meeting travel fares	<p>Senator CAMERON: I assume if you travelled interstate to any of these meetings that there would be records of that for fares paid? Mr O'Keeffe: We will have to go back and match manually the records from Connect to other manual records. We will have to sit down and go through with Mr Hadgkiss what information he has available so that we can patch it together. We would also look towards where we have collected any information in our case management system and see if there is any information there. We would see if it is reported in the annual report. A lot of information for our annual report comes out of our AIMS system, which is our case management system, so we would look there. So I think there would be a number of sources. But I would need to take this on notice. I would need to talk to Mr Hadgkiss and see where we could find the records to patch them together.</p>
EMSQ17-001528	1-96-2	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - Commissioner's personal diary	<p>Senator CAMERON: Generally, yes. Given that this seems to be the only thing that we can have you accountable on, are you prepared to table your diary? .. Senator CAMERON: Can you redact them and then provide the diary? Mr Hadgkiss: I will take it on notice.</p>

EMSQ17-001530	1-99-2	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - field books	<p>Senator CAMERON: So what happens to these field books when they fill up? Are they like a 12-month field book with a date in it and stuff? What does a field book look like? Ms Cato: We might take that on notice. I understand that certainly any relevant note that is taken is copied and recorded digitally into the case management system. We will take on notice whether or not they actually have a field book. .. Senator CAMERON: A couple of minutes ago, I was told there were field books. I have never heard the term before. Now we are not sure if there are field books. Does anyone know if field books are kept? Mr Hadgkiss: I think we said we will take it on notice. .. Senator CAMERON: So you will take on notice these field books? Mr O'Keefe: Yes. Senator CAMERON: So can we have a look at a field book, if they are there? Mr O'Keefe: Yes. Senator CAMERON: Can we pick one of your investigators from Melbourne to provide a field book? Mr Hadgkiss: I think it is a national system. Mr O'Keefe: I think the senator is asking for an example of a field book. Senator CAMERON: Yes. Mr Hadgkiss: We could not give you the actual contents of a field book because most of the matters pertain to ongoing investigations or matters currently before the court. Senator CAMERON: But not every matter would be before the court. Mr Hadgkiss: I will take it on notice, in fairness. Senator CAMERON: What are you taking on notice? Mr Hadgkiss: The handing over of a typical investigator's notebook and the contents therein. Senator CAMERON: But you are not sure if you do have field books? Mr Hadgkiss: Well, you asked the question. I said I would take it on notice.</p>
EMSQ17-001532	1-99-3	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - AIMS manual	<p>Senator CAMERON: Is there a manual for this AIMS system? Mr O'Keefe: Yes, there is. Senator CAMERON: Is that part of the induction? Mr O'Keefe: Yes. Senator CAMERON: Can you provide that manual? Mr O'Keefe: Certainly.</p>

EMSQ17-001533	1-108-2	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - heat policy	Senator CAMERON: Would a clause about a heat policy - that says that once the temperature reaches 35 degrees, there will be an orderly cessation of work and preparations for the safe completions of critical tasks - be code compliant? Ms Cato: A heat policy? Senator CAMERON: Yes. Ms Cato: I am not in a position to answer that. Senator CAMERON: Would that be seen to be impinging upon the management's right to manage? Ms Cato: I am going to take that on notice. There are safety issues possibly involved there.
EMSQ17-001534	1-108-3	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - Compliant clauses	Senator CAMERON: I wonder whether these clauses would be compliant: (a) The Parties seek to provide opportunities to seeks to maximise opportunities for Australian, New Zealand and Victorian suppliers (Local Suppliers) to supply on the basis of best value for money for the provision of work clothing to its Employees. (b) Local Suppliers of clothing will be made aware of opportunities to supply clothing to Probuild. Ms Cato: I am really unable to sit here and listen to the clauses and give you an answer on them without seeing them in front of me. I will have to take it on notice.
EMSQ17-001536	1-115-2	Kakoschke-Moore, Skye	Agency - Workplace Gender Equality Agency	WGEA - tools accessed from website	Senator KAKOSCHKE-MOORE: Perhaps on notice you could provide a little bit more detail around the webinars or the tools that are accessed most recently from your website. Ms Paterson: Absolutely - happy to do that.
EMSQ17-001538	1-116-2	Kakoschke-Moore, Skye	Agency - Workplace Gender Equality Agency	WGEA - organisation targets changes	Senator KAKOSCHKE-MOORE: Perhaps on notice you could provide some examples of the length of time it has taken organisations to meet their target once they have set it. I would be curious how long it takes for that sort of change to take place. Ms Clifford: I am not absolutely sure we have that research, but we can certainly look at that. Maybe that is a potential area for future research with one of our partners.

EMSQ17-001540	1-116-3	Marshall, Gavin	Agency - Asbestos Safety and Eradication Agency	ASEA - Asbestos found in Australia	Senator MARSHALL: How many asbestos-containing materials have been found in Australia in the last 12 months? .. Senator MARSHALL: Yes, let's talk about those. Are you able to break them down between state and territory? Mr Tighe: Yes, I am. If I can take that on notice, I will be able to provide that to you.
EMSQ17-001542	1-118-2	Paterson, James	Agency - Asbestos Safety and Eradication Agency	ASEA - AMR Review	Senator PATERSON: Right. Who else was consulted? Mr Tighe: The employers in the industry, the jurisdictions. We not only deal with work health and safety regulators but we also deal with the environmental agencies, because they are responsible for transport and disposal of asbestos. Local government bodies, departments of health: each of those has an interest at a jurisdictional level. And, of course, those who are involved at the coalface, so that brings in employer organisations, it brings in unions. We also survey what would probably be described as the victims' advocates and people who are affected by exposure to asbestos. Senator PATERSON: And they were all surveyed in this research paper? Mr Tighe: There was a compendium. I would have to take that on notice to definitively tell you exactly who was addressed in that process, but our aim was to embrace all of them.
EMSQ17-001543	1-119-2	Paterson, James	Agency - Asbestos Safety and Eradication Agency	ASEA - Research report	Senator PATERSON: I am going through the bulk of the research report here, and every piece of feedback is tagged as having come from the council. It goes on to say, 'Council members are positive about the ASEA's work in best practice' - for example. I have not read every page of the report, but it says, 'Council members are amongst the hardest to coordinate due to the various jurisdictional and industry stakeholders involved.' It only refers to council members. Is there another report that I have missed somewhere? Mr Tighe: I think that is the case. It is a component of our overarching surveying work. I remember the process where we surveyed our council - they are a very important group obviously. But, as I said, to get our general direction and get input into whether or not we are meeting the

					requirements of the national strategic plan, we also have to start to get their views in relation to what we should concentrate on under the national strategic plan. I am happy to provide the detail of all of that on notice.
EMSQ17-001544	1-119-3	Paterson, James	Agency - Asbestos Safety and Eradication Agency	ASEA - Cost of AMR report	Senator PATERSON: Thank you, that would be good. If you could also provide on notice how much the report cost and, if there are different components of the report - it appears to me, looking at just this component of the report, that this component of the report is just for council members. Maybe AMR did other work for you that consulted other people, but if you are able to break down how much the report on council members cost on its own, that would be good. Mr Tighe: It would be a pretty poor process if it were just navel-gazing at the council rather than looking exterior to it, so I will get you that information.
EMSQ17-001583	1-121-2	Cameron, Doug	Outcome 2 - Workplace Relations and Economic Strategy	Penalty Rates Instruction email	Senator CAMERON: I will move now to the penalty rates cuts. What work has the government asked the department to undertake regarding the provisional transition process set out in the Fair Work Commission decision, Minister? .. Senator CAMERON: Can I have a copy of that? Ms Leon: Certainly. I do not have it with me, of course, but I am happy to take that on notice and provide it. Senator CAMERON: That is a copy of that instruction. Ms Leon: Yes. It was done by email. .. Senator CAMERON: I am not going to try to relitigate this crazy decision that is creating hardship for workers across the country. That has been conceded, so I will not relitigate it. Senator Cash, when did you ask the government to prepare a submission? Senator Cash: When did I ask the government? Senator CAMERON: Sorry, the department. Senator Cash: I will have to take on notice exactly

					when we provided the instruction, but we have been talking with the department since day one. Literally, the decision came down, and my staff have talked to them on an ongoing basis in terms of the decision, what is required of the government et cetera, so there has been a constant dialogue with the department. .. Ms Leon: But there was a formal instruction in the last couple of days. I am happy to get the exact date. Senator CAMERON: That would be handy. You can take that on notice and let us know when you believe you had the go-ahead.
EMSQ17-001584	1-123-2	Cameron, Doug	Outcome 2 - Workplace Relations and Economic Strategy	Answering questions as a solicitor	Senator CAMERON: Mr O'Sullivan, can you provide in writing to this committee the reasons you believe you may not answer questions on the basis of being a solicitor? Take that on notice, will you. Ms Leon: Yes, Senator. Mr O'Sullivan: Yes.
EMSQ17-001586	1-126-2	Cameron, Doug	Outcome 2 - Workplace Relations and Economic Strategy	Penalty Rates decision made ineffectual by Parliament	Senator CAMERON: Is the department of the view that the decision of the Fair Work Commission can be made ineffectual by parliament? .. Ms Leon: Well, I have not been. I would have to take on notice whether any other officers have.
EMSQ17-001587	1-128-2	Cameron, Doug	Outcome 2 - Workplace Relations and Economic Strategy	Gender Pay Gap	Senator CAMERON: So there is a higher representation of women at the award level. Ms Durbin: In general. Senator CAMERON: What percentage is that at the award level? Ms Durbin: In terms of the pay setting for gender, just bear with me for two seconds. .. Senator CAMERON: Before we do that, perhaps I could get back to Ms Durbin. This was a fill-in proposition. Ms Durbin, can you come back to the issue we had raised? You were coming back with an answer. Ms Durbin: I have not been able to put my finger on that. I will check my phone and see whether one of my experts has sent something through to me. Senator CAMERON: I am happy then for you to direct me to that part of the decision on

					notice.
EMSQ17-001588	1-129-2	Cameron, Doug	Outcome 2 - Workplace Relations and Economic Strategy	Gender Pay Gap Sunday Work	Dr Morehead: The commission asked everybody that during all the hearings during the over two years. Unfortunately, in Australia there is not robust data that can be broken down into lots of different categories in terms of anything to do with the Sunday work. We know overall figures but, in terms of breaking it down, it could not be shown that more women than men are affected. I think I can quote the paragraphs on that. They are quite heavily iterated in the report. Senator CAMERON: No, you do not have to. On notice you can do that, if you do not mind. Dr Morehead: You would like that done? Senator CAMERON: Yes, on notice. Dr Morehead: On notice, yes.
EMSQ17-001589	1-135-2	Cameron, Doug	Outcome 2 - Workplace Relations and Economic Strategy	Memberships at Independent Contractors Australia	Senator CAMERON: How many members do Independent Contractors Australia have? Mr Kibble: In terms of their association? Senator CAMERON: Yes. Mr Kibble: I would have to take that on notice.
EMSQ17-001590	1-135-3	Cameron, Doug	Outcome 2 - Workplace Relations and Economic Strategy	Role of Independent Contractors Australia	Senator CAMERON: Did you make any inquiries about what they do? Mr Kibble: We know what they do. Senator CAMERON: What do they do? Mr Kibble: I will take it on notice.
EMSQ17-001591	1-139-2	Marshall, Gavin	Outcome 1 - Employment	Insurance for Employment Services programs	Senator MARSHALL: Tell me how it will differ to workers compensation in every state. Ms Leon: We will have to take that on notice. I doubt that I will be able to give you information that is generic because the coverage provided will depend upon the accident and the nature of the person's injury. But I will have a

					look at what we can provide.
EMSQ17-001592	1-140-2	Marshall, Gavin	Outcome 1 - Employment	Public Liability Insurance	Senator MARSHALL: Hence they are probably not worried about it. Where does public liability insurance leave participants? Mr Hehir: Our insurance covers public liability. Senator MARSHALL: To what level? Is it a no-fault system? Mr Manning: It is to \$20 million - capped at the maximum limit per occurrence. I am not sure of the details; I will have to take that on notice. Senator MARSHALL: Are you absolutely sure that there is no circumstance which could exceed \$20 million? Mr Manning: I am not, and I will have to take that on notice to give you a considered answer.
EMSQ17-001563	Written	Bilyk, Catryna	Agency - Australian Building and Construction Commission	ABCC - Mobile phones	Are ABCC staff and Commissioners provided with a mobile telephone at Commonwealth expense? If so, what is the total cost to the ABCC since it was re-established? Please provide the GST inclusive figure.
EMSQ17-001564	Written	Bilyk, Catryna	Agency - Australian Building and Construction Commission	ABCC - Organisational Chart	Please provide an organisational chart for the ABCC including the APS level (eg EL2, APS6) for each position
EMSQ17-001566	Written	Bilyk, Catryna	Agency - Australian Building and Construction Commission	ABCC - Executive office upgrades	Were the furniture, fixtures or fittings of the ABCC's Executive offices upgraded during calendar year 2016? If so, can an itemised list of costs please be provided, expressed in GST inclusive figures?

EMSQ17-001567	Written	Bilyk, Catryna	Agency - Australian Building and Construction Commission	ABCC - Facilities upgrades	Were the facilities of any of the ABCC's offices upgraded in calendar year 2016, for example, staff room refurbishments, kitchen refurbishments, bathroom refurbishments, the purchase of any new fridges, coffee machines, or other kitchen equipment? If so, can a detailed description of the relevant facilities upgrade please be provided together with an itemised list of costs, expressed in GST inclusive figures? Can any photographs of the upgraded facilities please be provided?
EMSQ17-001552	Written	Bilyk, Catryna	Cross Portfolio	Ministerial functions	In relation to any functions or official receptions hosted by Ministers or Assistant Ministers in the portfolio for calendar year 2016, can the following please be provided: <ul style="list-style-type: none"> • List of functions; • List of attendees including departmental officials and members of the Minister's family or personal staff; • Function venue; • Itemised list of costs expressed in GST inclusive figures; • Details of any food served; • Details of any wines or champagnes served including brand and vintage; and • Details of any entertainment provided.
EMSQ17-001553	Written	Bilyk, Catryna	Cross Portfolio	Departmental functions	In relation to expenditure on any departmental functions or official receptions in calendar year 2016, can the following please be provided: <ul style="list-style-type: none"> • List of functions; • List of attendees; • Function venue; • Itemised list of costs expressed in GST inclusive figures; • Details of any food served; • Details of any wines or champagnes served including brand and vintage; and • Details of any entertainment provided.
EMSQ17-001559	Written	Bilyk, Catryna	Cross Portfolio	Flights	What was the Department's total expenditure on flights for departmental staff in calendar year 2016? Please provide the GST inclusive figure. Are staff permitted to travel in business class when flying domestically? What about international travel?
EMSQ17-001554	Written	Bilyk, Catryna	Cross Portfolio	Executive office upgrades	Were the furniture, fixtures or fittings of the Secretary's office, or the offices of any Deputy Secretaries, upgraded during calendar year 2016? If so, can an itemised list of costs please be provided, expressed in GST inclusive figures?

EMSQ17-001555	Written	Bilyk, Catryna	Cross Portfolio	Facilities upgrades	Were the facilities of any of the Department's premises upgraded in calendar year 2016, for example, staff room refurbishments, kitchen refurbishments, bathroom refurbishments, the purchase of any new fridges, coffee machines, or other kitchen equipment? If so, can a detailed description of the relevant facilities upgrade please be provided together with an itemised list of costs, expressed in GST inclusive figures? Can any photographs of the upgraded facilities please be provided
EMSQ17-001556	Written	Bilyk, Catryna	Outcome 2 - Workplace Relations and Economic Strategy	Appointment vacancies	Please provide a list of all statutory, board and legislated office vacancies and other significant appointments vacancies within the portfolio, including length of time vacant and current acting arrangements.
EMSQ17-001557	Written	Bilyk, Catryna	Cross Portfolio	Media monitoring	How much did the Department spent on media monitoring during calendar year 2016, expressed as a GST inclusive figure? Can a list of all Contract Notice IDs for the Austender website in relation to media monitoring contracts please be provided?
EMSQ17-001558	Written	Bilyk, Catryna	Cross Portfolio	Advertising and information campaigns	How much has did Department spend on advertising and information campaigns in calendar year 2016, expressed as a GST inclusive figure? Can a list of all Contract Notice IDs for the Austender website in relation to advertising and information campaign contracts please be provided?
EMSQ17-001560	Written	Bilyk, Catryna	Agency - Australian Building and Construction Commission	ABCC - Travel	What was the Commission's total expenditure on flights for staff since it was re-established? Please provide the GST inclusive figure. Are ABCC staff and Commissioners permitted to travel in business class when flying domestically? Please provide the GST inclusive figure. Are ABCC staff and Commissioners permitted to travel in business class when flying internationally? Please provide the GST inclusive figure. What was the Commission's total expenditure on hotel accommodation for ABCC staff and Commissioners since it was re-established? Please provide the GST inclusive figure. What was the Commission's total expenditure on Travelling Allowance for ABCC staff and

					Commissioners since it was re-established? Please provide the GST inclusive figure. What was the Commission's total expenditure on ground transport for ABCC staff and Commissioners since it was re-established? Please provide the GST inclusive figure.
EMSQ17-001561	Written	Bilyk, Catryna	Agency - Australian Building and Construction Commission	ABCC - Comcar	Are ABCC staff and Commissioners entitled to use Comcar? If so, what is the total cost of Comcar since the ABCC was re-established? Please provide the GST inclusive figure. Are ABCC staff and Commissioners entitled to a privately-plated vehicle at Commonwealth expense? If so, what is the total cost to the ABCC since it was re-established? Please provide the GST inclusive figure.
EMSQ17-001562	Written	Bilyk, Catryna	Agency - Australian Building and Construction Commission	ABCC - Meals	What is the total cost of meals and other incidentals for ABCC staff and Commissioners since the ABCC was re-established? Please provide the GST inclusive figure.
EMSQ17-001565	Written	Bilyk, Catryna	Agency - Australian Building and Construction Commission	ABCC - Functions	In relation to expenditure on any functions or official receptions by the ABCC in calendar year 2016, can the following please be provided: <ul style="list-style-type: none"> • List of functions; • List of attendees; • Function venue; • Itemised list of costs expressed in GST inclusive figures; • Details of any food served; • Details of any wines or champagnes served including brand and vintage; and • Details of any entertainment provided.
EMSQ17-001568	Written	Bilyk, Catryna	Agency - Australian Building and Construction Commission	ABCC - Media monitoring	How much did the ABCC spend on media monitoring during calendar year 2016, expressed as a GST inclusive figure? Can a list of all Contract Notice IDs for the Austender website in relation to media monitoring contracts please be provided?

EMSQ17-001569	Written	Bilyk, Catryna	Agency - Australian Building and Construction Commission	ABCC - Advertising and information campaigns	How much did the ABCC spend on advertising and information campaigns in calendar year 2016, expressed as a GST inclusive figure? Can a list of all Contract Notice IDs for the Austender website in relation to advertising and information campaign contracts please be provided?
EMSQ17-001570	Written	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - SES turnover	What has been the rate of turnover among SES officers at FWBC and now ABCC since October 2013? Are there any SES officers who were employed at FWBC in October 2013 still employed at ABCC as at February 2017?
EMSQ17-001571	Written	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - SES turnover circumstances	Please provide a full account of the circumstances surrounding the turnover of each SES position in FWBC/ABCC since October 2013.
EMSQ17-001572	Written	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - SES turnover recommendations	Which changes in the personnel or composition of the SES group have been a result of recommendations made following consultancies carried out by Workplace Research Associates?
EMSQ17-001573	Written	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - Use of the Workplace Research Associates	Why does FWBC/ABCC use Workplace Research Associates to conduct SES and other workplace reviews when the Australian Public Service Commission can do the same task?

EMSQ17-001575	Written	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - Workplace Research Associates	Does Workplace Research Associates carry out consultancies for any Commonwealth departments or agencies other than FWBC/ABCC? If so, which departments or agencies?
EMSQ17-001577	Written	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - SES pay rises	Have ABCC SES group officers received salary increases in the past three years? If so, which officers, what was the percentage salary increase and when was it awarded?
EMSQ17-001576	Written	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - Commissioner's relationships with current ABCC SES	Please provide the Committee with an account of the Commissioner's previous relationships, either professional or personal, with each of the current holders of SES position in the ABCC?
EMSQ17-001579	Written	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - Employee expenses	Is the agency expected to meet its employee expenses expenditure forecast in the 2016-17 Budget?
EMSQ17-001581	Written	Cameron, Doug	Outcome 2 - Workplace Relations and Economic Strategy	Federal Safety Commissioner - Work Health and Safety Accreditation Scheme	When the Federal Safety Commissioner accredits a builder under the Work Health and Safety Accreditation Scheme, what are they actually accredited for? Is it an accreditation that they actually apply safe systems of work on the job, or is it a box ticking exercise? How is the performance of the Accreditation Scheme in improving safety assessed? Is it based on surveys of accredited builders? Is the assessment of the performance of the Accreditation Scheme based on building companies self-reporting their impressions of how the scheme is working across the industry. How are those impressions tested against actual outcomes across the industry? In what way, if any, does the

					Accreditation Scheme add to the obligations a builder already has under existing occupational health and safety law? How do the statutory functions Federal Safety Commissioner work to reduce the rate of serious injury and death in the construction industry?
EMSQ17-001582	Written	Cameron, Doug	Outcome 2 - Workplace Relations and Economic Strategy	Federal Safety Commissioner - referral to agencies and bodies	The Federal Safety Commissioner's functions under the Act enable him to refer matters to other relevant agencies and bodies. What are relevant agencies and bodies? How many matters have you referred to other relevant agencies and bodies in the past three years? What is the nature of the matters referred? To which agencies and bodies have they been referred?
EMSQ17-001574	Written	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - expenditure on consultancies	What has been FWBC/ABCC's total expenditure on consultancies carried out by Workplace Research Associates or related businesses in the period from October 2013 to February 2017?
EMSQ17-001578	Written	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - staff redundancies	How many staff redundancies have occurred in FWBC/ABCC in the two years to February 2017? Which classifications and job functions have been made redundant? Why did the redundancies arise? Have redundancies arisen as a result of workplace reviews carried by consultants? If so, how many, in which classifications, in which office locations and who were the consultants? What has been the total cost to the agency of redundancy payouts in the two years to February 2017?
EMSQ17-001522	Written	Marshall, Gavin	Outcome 2 - Workplace Relations and Economic	Migrant Worker Taskforce - Future	What does the Ombudsman expect the future work of the Taskforce will be?

			Strategy		
EMSQ17-001515	Written	Marshall, Gavin	Agency - Fair Work Ombudsman	FWO - Penalty Rates decision	How will the penalty rates decision affect compliance activities in the relevant industries? Will FWO run education campaign for employers and employees on the effect of the decision? If so, how will that operate? Who will be involved?
EMSQ17-001516	Written	Marshall, Gavin	Agency - Fair Work Ombudsman	FWO - Maritime industry	The Fair Work Ombudsman put out the following media release on February 27, 2017. It raises more questions than answers. The agency won't name the vessel to either the media or unions representing international seafarers (please see below). FWO Media Release 27 February http://www.fairwork.gov.au/about-us/news-and-media-releases/2017-media-releases/february-2017/20170227-maritime-mr What is the name of the ship mentioned in the press release? Why won't you tell journalists or unions the name of the ship, given you put out a media release? Which flag does the vessel sail under and is it a Flag Of Convenience? Who is the owner of the vessel? Who is the Australian charterer and were they involved? Who holds the Temporary Licences (TLs) for these voyages? Can you provide a breakdown of the back pay in this case? How was it paid to the crew? What measures have you taken to ensure the money isn't taken straight back from seafarers? How many ships do FWO inspectors visit each year? How does the FWO police Temporary Licenced vessels? How many notices of non-compliance have been issued by the FWO? How many cases has the FWO prosecuted in international shipping?

EMSQ17-001517	Written	Marshall, Gavin	Agency - Fair Work Ombudsman	FWO - Migrant Worker Taskforce - research project	The Chair recently released a report of outcomes from January 2017 meeting: "Agencies will coordinate efforts so that messaging to visa holders is simple, clear and effective. To achieve this, we need to hear from visa holders and I am pleased that a research project will be undertaken jointly by the Fair Work Ombudsman, the Department of Immigration and Border Protection and the Department of Employment on 'what works' for migrant workers." What is the time frame for this project? What is the budget - is it to come from existing resources, or more funding provided?
EMSQ17-001518	Written	Marshall, Gavin	Agency - Fair Work Ombudsman	FWO - Migrant Worker Taskforce online reporting tool	"The Taskforce discussed ways to assure these workers that they can report anonymously and endorsed a proposal by the Fair Work Ombudsman to host a new anonymous reporting online tool designed specifically for migrant workers and promoted online and through various community groups. This new tool will allow migrant workers to provide information or share concerns about a workplace without identifying themselves, if they do not wish to make a formal request for assistance to the Fair Work Ombudsman." What will this tool cost? Where is the money coming from to design and host it? Is it to be developed in house or externally?

EMSQ17-001520	Written	Marshall, Gavin	Agency - Fair Work Ombudsman	FWO - Migrant Worker Taskforce - Visa holders	<p>While a general amnesty from migration law is not appropriate, the Department of Immigration and Border Protection and the Fair Work Ombudsman have agreed that where temporary visa holders with a work entitlement attached to their visa may have been exploited and they have reported their circumstances to the FWO, the Department will generally not cancel a visa, detain or remove those individuals from Australia, providing:</p> <ul style="list-style-type: none"> the visa holder commits to abiding by visa conditions in the future; and there is no other basis for visa cancellation (such as on national security, character, health or fraud grounds). <p>For any temporary visa holder who has no work entitlement attached to their visa, the Department will make no commitment other than to consider the case on its merits.</p> <p>Is this arrangement reduced to writing? Is there an MOU? What guarantee exists for each person who come forward to the FWO that DIBP will follow these guidelines? What form does the commitment to abiding by visa conditions have to take? A written undertaking? What recourse does the FWO have, or an individual visa holder have, if the DIBP detains or removes an exploited person contrary to this agreement?</p>
EMSQ17-001523	Written	Marshall, Gavin	Agency - Fair Work Ombudsman	FWO - Migrant Worker Taskforce - Legislation	<p>Has the Taskforce made submissions to the Government about legislative changes? What consultations were carried out by the government with the FWO regarding the content and drafting of the Government's worker exploitation bill introduced into the House on Monday? How effective will any of the other measures be in the absence of a comprehensive legislative response to worker exploitation? What does the Ombudsman view as important to include in the legislative response to deal with the range of issues facing vulnerable workers? Is there any particular industry or form of relationship between companies (eg franchise, contract, small business) where underpayment of wages is more prevalent, or is it widespread across the economy?</p>

EMSQ17-001525	Written	Marshall, Gavin	Agency - Fair Work Ombudsman	FWO - Mediation of underpayment claims	<p>The annual report indicates that in 2016-2016, the FWO finalised 29,900 instances of alleged non-compliance. How many instances were reported to the FWO? How many of them related to underpayment of wages, how many to other breaches of labour standards? In 2015-16, the Mediation team finalised 4500 workplace disputes - How many of these were complaints re underpayment of wages? What proportion of complaints of underpayment were resolved? What is the proportion of disputes which do not get settled because the employer does not agree to participate in mediation?</p>
EMSQ17-001527	Written	Marshall, Gavin	Agency - Fair Work Ombudsman	FWO - Working Women's Centres	<p>Last estimates, the Ombudsman was asked about whether Working Women's Centres would be funded out of the Community Engagement Grants Program. Applications closed on 4 February. The FWO was particularly focussed on youth and migrant workers as vulnerable workers; women were not singled out in the guidelines. It was not known whether the Working Women's Centres would receive funding to stay open. The FWO has since announced successful grant applications: http://www.fairwork.gov.au/about-us/news-and-media-releases/2017-media-releases/january-2017/20170105-cegp-media-release There were 81 different organisations who applied for grants - how many of them were previously funded under the Community-Based Employment Advice Services program? How many previously funded organisations did NOT received funding under the new Community Engagement Grants Program? Which Working Women's Centres received funding under the Community Engagement Grants Program? Which Working Women's Centres did not receive funding, and have they ceased operating as a result? Of the organisations which were successful in obtaining funding under the Community Engagement Grants Program: how much did they receive, what is the funding period, what are they funded to do, will they be undertaking new projects or continuing existing ones?</p>

EMSQ17-001529	Written	Marshall, Gavin	Agency - Australian Building and Construction Commission	ABCC - Establishment of the Commission	Can you take us through the establishment of the Commission please. What divisions have you established to ensure you're completing your statutory functions including those amendments that were proposed by the cross-bench? Have your staffing levels changed? Has your salary changed? How much has it cost so far to change the name of the FWBC to the ABCC? How much is it estimated to cost? What procedures and processes have you changed? What have you retained? How many successful convictions have you secured since the change? How does that compare to the former FWBC?
EMSQ17-001537	Written	Marshall, Gavin	Agency - Comcare	Comcare - John Holland	John Holland is the only construction company in Australia that currently holds a comcare licence. Because of this licence the company escapes the regulatory oversight of any other company in the construction industry. Given John Holland workers have died on site since this license has been granted why won't the SRCC revoke the licence or not renew it?
EMSQ17-001511	Written	Marshall, Gavin	Agency - Fair Work Commission	FWC - Termination of agreements	Termination of agreements Can you provide the most recent data you have in relation to termination of agreements? How many agreements have been terminated since the most recent data was published? How many workers have been involved in those terminations? How many applications to terminate agreements are on foot? How many workers are affected? How many are employer applications are there? How many union applications?
EMSQ17-001513	Written	Marshall, Gavin	Agency - Fair Work Commission	FWC - Australian workplace agreements	Australian workplace agreements Does the FWC know how many Work Choices era Australian Workplace Agreements are still in operation? If not- Why not in What geographic areas are these agreements still in place ?
EMSQ17-001531	Written	Marshall, Gavin	Agency - Comcare	COMCARE - investigation the Department of Immigration and Border Protection	I understand the Australian Lawyers Alliance (ALA) has requested that Comcare investigate the Department of Immigration and Border Protection (DIBP) for breaches of offences under the Work Health and Safety Act 2011 (Cth) (WHS Act). Is that the case? The ALA is suggesting the DIBP appears to have failed to meet its obligations under the WHS Act, including offences that appear to

					have been committed, yes? Have you started an investigation? If so, where's that up to? If not, why not?
EMSQ17-001539	Written	Marshall, Gavin	Outcome 2 - Workplace Relations and Economic Strategy	Registered Organisations Commission	Registered Organisations Commission Has the Registered Organisations Bill which passed the parliament last year been proclaimed yet? If not, why not? Has a Commissioner been appointed? Has the job been advertised, if so how long was the job advertised for? How long was it advertised for before a Commissioner was appointed? What if any steps have been taken to establish the Commission? Have any staff been recruited, if not, what processes have been put in place for staff recruitment?
EMSQ17-001541	Written	Marshall, Gavin	Outcome 2 - Workplace Relations and Economic Strategy	Australian workplace agreements	Does the department know how many WorkChoices era Australian Workplace Agreements are still in operation? If not- Why not in What geographic areas are these agreements still in place ? Does the department know how many WorkChoices era agreements are playing below the minimum wage?
EMSQ17-001546	Written	Marshall, Gavin	Outcome 2 - Workplace Relations and Economic Strategy	Security of Payments Working Group	A Security of Payments working group was created with the ABCC Bill last year- What is the status of this working group? What's the Department's role? Has the Minister appointed a Chair? Has the Minister appointed members? All members? Who are the members? Which appointment has representation of employers in their background? Which appointment has representation of employees? Which appointment has background in contracting? How many meetings have been held? What can you tell us about the content of the meetings?

EMSQ17-001547	Written	Marshall, Gavin	Outcome 2 - Workplace Relations and Economic Strategy	Senate Committee's inquiry into Corporate avoidance of the FWA.	The Department made a submission to the Senate Committee's inquiry into Corporate avoidance of the FWA. Is the Department able to break down that data to separate agreements which were terminated after the expiry date, agreements which were terminated while still in force (ie by agreement), and how many applications for termination were made by employers vs employees or employee representatives? Has the Department collated the same data for Q4 2016? If not, when will that be available? Does the Department have data on how many applications for termination are currently before the Commission? If so, which industries are covered by the agreements, how many employees are covered by each agreement?
EMSQ17-001549	Written	Siewert, Rachel	Outcome 2 - Workplace Relations and Economic Strategy	Job Services Australia evaluations	I understand the employment program evaluations for Job Services Australia 2009-2012 and Job Services Australia 2012-2015 were finalised by the end of 2016. Can you please provide copies of these evaluations?
EMSQ17-001548	Written	Siewert, Rachel	Outcome 1 - Employment	Labour Market Assistance Outcomes	Please provide Labour Market Assistance Outcomes data (in the format of the LMAO reports) for jobactive for the September (and if available December) quarter 2016. Please advise whether and when these will be regularly published.
EMSQ17-001550	Written	Siewert, Rachel	Outcome 1 - Employment	National Work Experience and Training Program	Does the Department advertise positions for the National Work Experience & Training Program as 'jobs' online? If so, why is the Department misleading job seekers by advertising these positions as 'jobs'?
EMSQ17-001551	Written	Siewert, Rachel	Outcome 1 - Employment	Contact appointment for jobseekers	How many ordinary contact appointments are Stream Participant job seekers required to attend per month?
EMSQ17-001598	Written	Watt, Murray	Outcome 1 - Employment	RapidConnect Plus	What is the difference between the activities which would be undertaken by RapidConnect Plus participants and existing mutual obligations?

<p>EMSQ17-001599</p>	<p>Written</p>	<p>Ketter, Chris</p>	<p>Outcome 2 - Workplace Relations and Economic Strategy</p>	<p>2016-17 MYEFO measure – Fair Entitlements Guarantee – recovery program – continuation and expansion</p>	<p>1. Provide the breakdown of the measure into the constituent elements – that is: a) the recovery program additional funding; b) the additional FEG recoveries and c) not proceeding with the 2014-15 Budget measure to align redundancy payments to the national employment standards 2. What is the assumption for the number of companies going into liquidation without paying employment entitlements? 3. What is the assumption for the number of companies that the Government will be able to recover its costs from? Has this assumption changed as a result of the additional funding provided in this measure? If so, what was the assumption previously? Is there a rule of thumb for additional funding provided for the FEG and funding expected to be recovered from companies?</p>
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