

## Unions NSW – Answers to Questions – Procurement Inquiry

### Questions on notice:

#### Question 1:

Ms ABIGAIL BOYD: We have been looking at the ACT jobs codes, the Victorian one and what they have in Queensland and comparing and contrasting. Do any of them cover grants? I know this is not quite procurement, but it's the giving of government money for stuff. For instance, just recently we had the Net Zero Manufacturing Initiative announced—\$275 million worth of grants. I don't know if that has minimum labour standards or best practice labour standards attached to it. Do any of those other codes cover grants? Should we be looking at that?

TODD PINKERTON: We might have to take that on notice, but, from my understanding, they don't cover grants; they cover the direct procurement of goods, services, labour hire and construction. I take your point that procurement, as most broadly defined, is money for things that the Government spends. Maybe that is a consideration. But our view would be that the details of the coverage of the Secure Local Jobs Code—and there are a variety of questions that would have to be addressed—should be subject to a tripartite consultation to resolve those things.

#### Answer 1:

Of the relevant Queensland, ACT and Victorian approaches, it appears only the Victorian model specifically covers grants.

- The Victorian Fair Jobs Code applies to 'business expansion grants over \$500,000 (exclusive of GST), where a key milestone is the delivery of new jobs. Source: <https://www.buyingfor.vic.gov.au/fair-jobs-code-suppliers-and-businesses>
- The ACT Secure Local Jobs Code applies to "government investments over \$200,000 with any organisation that has an Australian Business Number (ABN) that includes NGOs, sole traders, partnerships, trusts and companies. Source: <https://www.procurement.act.gov.au/secure-local-jobs>
- The Queensland Government Supplier Code of Conduct 2023 applies to all procurement activities regardless of their value but does not specify if grants are included. Source [Queensland Government Supplier Code of Conduct 2023 | Business Queensland](#)

**Question 2:**

The Hon. DAMIEN TUDEHOPE: The ACT model is one which issues certificates for a fee, is that right?

MARK MOREY: That's my—

TODD PINKERTON: My understanding is there is a fee for the certification.

The Hon. DAMIEN TUDEHOPE: Are you aware of what that fee would be? We heard earlier that the fee payable in relation to the ethical clothing can be as much as \$7,000 for accreditation.

TODD PINKERTON: I don't believe the fee is as high as that, but I might have to take that on notice and come back to you about the exact fee and what the costings around the auditing are

**Answer:**

The ACT Government's procurement website states that *'The cost of an audit depends on the size of your business and the Approved Auditor you select'*.

Indicative costs are provided on their website by business size ranging from as little as \$450 businesses with less than 9 employees to as much as \$3,500 for businesses with 250+ employees .

## Supplementary Questions

### Question 1:

In your evidence you state that Unions NSW had discussed its proposal for a NSW Secure Local Jobs Code with the NSW Government and, separately, with businesses, and that the response was supportive. With whom in the NSW Government has Unions NSW discussed its proposal for a Secure Local Jobs Code? Was the response from those spoken with from the NSW Government supportive? Was any commitment given to progress this matter, and if so by whom?

### Answer 1:

Unions NSW has advocated for the NSW Government and NSW Parliament to adopt a procurement policy that ensures wages, conditions and workplace safety are guaranteed for workers directly or indirectly employed through government contracts in a variety of forums – most notably via this very inquiry.

We would expect the NSW Parliament and Government to consider our submission in this respect and would welcome a commitment implement or progress such an approach.

### Question 2:

Is it your view that either Unions NSW, or a relevant union for the specific industry, should have an effective veto over whether or not a potential supplier to the NSW Government should be certified as compliant under your proposed NSW Secure Local Jobs Code?

### Answer 2:

No.