



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEES

BUDGET ESTIMATES 2024-2025

Supplementary questions

Portfolio Committee No. 1 – Premier and Finance

Industrial Relations, Work Health and Safety (Cotsis)

Hearing: Wednesday 11 September 2024

Answers due by: 5.00 pm Wednesday 9 October 2024

Budget Estimates secretariat

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BUDGET ESTIMATES 2024-2025
SUPPLEMENTARY QUESTIONS

Questions from Hon Chris Rath MLC (on behalf of Opposition)
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INDUSTRIAL RELATIONS

Industrial Relations Court

- (1) What is the total cost of establishing and staffing the Industrial Relations Court?
- (2) Where will the Industrial Relations Court be located?
- (3) Did the review make any recommendations regarding the provision of mutual gains bargaining to agencies and unions?
 - (a) If so, what were those recommendations?

WORK HEALTH & SAFETY

Fort Street Public School

- (4) When did you become aware that Yaga Corp, in which El Jarra and Soukie are shareholders, is providing allegedly “safe-access platforms to Fort Street Public School”?

Impact of Engineered Stone Ban on Small Businesses:

- (5) What support is the government providing to small businesses affected by the ban on engineered stone, specifically those in the stone benchtop industry?
 - (a) Has the government considered providing financial assistance, such as low-interest loans or grants, to help these businesses recover and diversify?

Communication and Clarification from SafeWork NSW:

- (6) Why has there been a lack of clear communication from SafeWork NSW to the public about compliant engineered stone products?
 - (a) What steps is the government taking to improve public awareness and clarify which engineered stone products are still permitted under the new regulations?

Support for Industry Transition and Diversification:

- (7) What measures is the government implementing to assist stone fabricators in transitioning to alternative materials and upgrading their facilities and equipment?
- (a) Are there specific grants or programs available to support retooling, retraining, and upgrading showrooms to reflect the shift to compliant products?

WHS Standards in Construction

- (8) How is the government ensuring that workplace health and safety standards are upheld on construction sites amidst the expansion of housing and infrastructure projects?
- (a) What specific measures are in place to manage the increased workload and ensure the safety of workers?

Safety Standards in High-Risk Developments

- (9) How is the government addressing WHS concerns in high-risk developments, such as high-rise residential buildings?
- (a) What budget allocations support the enforcement of safety standards in these high-risk projects?

Mental Health Support for Construction Workers

- (10) What provisions are included in the budget to support the mental health and wellbeing of construction workers, particularly those involved in large-scale infrastructure projects?
- (a) How does the government plan to address mental health issues among construction workers and ensure they receive adequate support?

Case Management System Upgrade

- (11) When will SafeWork NSW be equipped with a fit-for-purpose case management system? The current WSMS system is over 20 years old and has been deemed inadequate by the Audit Office's performance report.
- (a) What is the timeline for implementing a modern system?

Standardised Incident Reporting Forms

- (12) Does SafeWork NSW require employers to submit written notices in standardised forms, as allowed under sections 38(4) and (5) of the WHS Act, to obtain meaningful information about specific harms, incident categories, and worker categories?

- (a) If not, why has this approach not been adopted?

Recording of Contractor/Supervisor License Numbers

- (13) Why does SafeWork NSW not mandate the recording of contractor or supervisor Home Building Act license numbers during incident notifications involving apprentices in Home Building Act specialist trades?
 - (a) How many referrals has SafeWork NSW made to the Building Commissioner's disciplinary action unit in FYs 22/23 and 23/24 for HBA license holders breaching WHS duties?
 - i. What were these referrals for, and how many resulted in show cause notices or disciplinary action?

Governance and Reporting Requirements

- (14) When will the Minister confirm the planned governance and reporting requirements for SafeWork NSW?

Apprentice Electric Shocks and Supervisory Practices:

- (15) How many apprentices received an electric shock at work in the trades of electrical wiring, refrigeration, air-conditioning, and plumbing during FYs 22/23 and 23/24?
 - (a) Was the presence of a suitably licensed supervisor confirmed in each instance, with the license details recorded?
 - (b) How many incidents received an inspector response, and were these inspectors electrically qualified?
 - (c) Additionally, how many incidents were addressed with an administrative (Category 4) response without verifying the legitimacy of the supervision?

Migrant Workers Centre

- (16) Due to the large number of migrant workers that work across the Murray electorate particularly under the PALM scheme, Temporary Skill Shortage visas and Skilled Employer Sponsored Regional Visas. Will the Government consider advocating for the centre to be located in the Murray electorate, where it will have a real impact on vulnerable migrant workers?

Criteria

(17) What are the current criteria for deciding what constitutes “office workers”?

(18) What is the criteria for workers who are allowed to work remotely?

Increased costs from the decision

(19) By encouraging effective use of public assets by returning workers to the office- will the government need to increase the number of offices?

(a) Would it be cheaper for taxpayers for workers to work from home?

i. If so, why doesn't the government allow flexible working arrangements where possible to save taxpayer money?

(20) How is the government aiming to help individuals adapt to this change?

(a) Is the government considering helping subsidise childcare?

(b) And/or increase wages to help families adapt to this change?

(21) Has the government considered the increased costs of this decision, like fuel and rent, and the effect this will have on workers?

(22) Will this decision affect families now that the costs of childcare need to be factored into employment?

Effect of the decision

(23) Has the government considered the effect of this decision on regional communities?

(a) Particularly workers leaving regional areas to live closer to offices.

(24) Has the government considered the number of workers who now have to relocate to go to work?

(25) When work can be done in an online setting, what are the government's motives and aims to bring people back into the office?

(26) Has the government considered more flexible working arrangements for individuals who are balancing work and family commitments?

Research into the decision

(27) What research has been conducted on the benefits of moving government sector workers back into an approved workplace, office, or worksite.

- (28) What research was done to conclude that building trusted networks, having a sense of belonging and working as a team are mutually exclusive to working online?
- (29) How does the decision support diversity within the workplace and neurodivergent workers who are more comfortable and efficient working from home?

Incolink

- (30) What are the formal or informal financial agreements between Incolink and Construction and Building Industries Training Ltd?
- (31) What are the CFMEU industry agreements that mandate the use of Incolink as a redundancy fund?
- (32) Does NSW Industrial Relations provide any oversight over payments between redundancy funds and unions?
 - (a) Do you think these payments should occur?
- (33) What information does NSW Industrial Relations receive from these funds?
- (34) Does NSW Industrial Relations know how much money is in these funds?
 - (a) How much?
- (35) Does NSW Industrial Relations know how much money goes to these funds every year?
 - (a) How much?
- (36) Does NSW Industrial Relations know how much money goes from these funds to unions each year?
 - (a) How much?

Governance and Reporting Requirements:

- (37) When will the Minister confirm the planned governance and reporting requirements for SafeWork NSW?

Apprentice Electric Shocks and Supervisory Practices:

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Recording of Contractor/Supervisor License Numbers:

- (40) Why does SafeWork NSW not mandate the recording of contractor or supervisor Home Building Act license numbers during incident notifications involving apprentices in Home Building Act specialist trades?
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- (a) What were these referrals for, and how many resulted in show cause notices or disciplinary action?

Mental Health Support for Construction Workers:

- (42) What provisions are included in the budget to support the mental health and wellbeing of construction workers, particularly those involved in large-scale infrastructure projects?
- (43) How does the government plan to address mental health issues among construction workers and ensure they receive adequate support?

Swillhouse sexual assaults:

- (44) Regarding the series of sexual assaults in Swillhouse Venues throughout Sydney, do you agree with Sally Sitou's comments, that the Hospitality industry needs to undergo a "period of soul searching"?
- (45) As minister for Industrial Relations, what steps do you propose the Hospitality Industry take to remove workplace safety concerns, such as sexual assault?

Synergy scaffolding and construction safety:

- (46) How many times this year has the Minister met with the CFMEU, specifically to address the safety concerns on work sites?
- (47) How many times this year has SafeWork NSW met with the CFMEU, specifically to address the safety concerns on work sites?
- (48) How did Synergy Scaffolding's practices contribute to the overloading of scaffolding?

- (a) What protocols were supposed to be followed to prevent such incidents?
- (49) Why did the CFMEU continue to promote Synergy Scaffolding despite the company's track record of safety violations and legal issues?
- (50) How can unions and regulatory bodies improve their oversight to ensure that companies with a history of unsafe practices are not repeatedly promoted for major projects?
- (51) What accountability measures are in place for unions that continue to support companies with known safety violations and legal troubles?

Marda Dandhi

- (52) What action did you take against the CFMEU after the union targeted workers of the Indigenous construction firm Marda Dandhi- which led to the suicide of a 19-year-old Indigenous man after his first day on a CFMEU building site?

Gig Workers

- (53) Will gig workers who are covered by the new federal regulated workers legislation also be able to challenge their deactivation under the proposed NSW reforms?
- (54) What modelling or research has the Government undertaken to understand the number of gig workers in the transport industry in NSW?
- (55) How many gig workers in the transport sector will benefit from the NSW Government's plans to expand Chapter 6?
- (56) How many gig workers in the transport sector will benefit from the NSW Government's plans to expand Chapter 6 once federal minimum standards are established?
- (57) What analysis has the Government undertaken of the costs to platforms and industry as a result of expanding Chapter 6?
 - (a) Noting the same platforms will likely be captured under the recent federal reforms, why does the Government believe these costs are justified?
- (58) The Government mentioned that a comprehensive stakeholder engagement strategy is still being developed and that it will undertake extensive consultation and seek feedback before finalising details of the proposed Chapter 6 changes. What is the Government's proposed timing for this comprehensive consultation?

Other Questions:

- (59) Can the Minister explain why allied health providers servicing the Workcover scheme are reimbursed at 78c/km when the Allied Health Award (MA00027) rate is 99c/km, and as a consequence allied health professionals or their clinics are paid 21c/km below the award rate.
- (60) Does the Minister agree, injured workers from rural and remote NSW, are disproportionately disadvantaged by the Workcover scheme paying travel reimbursement for allied health providers under the Award rate.
- (61) Will the travel reimbursement for Exercise Physiologists and Physiotherapists be restored to the Award rate which reimburses practitioners delivering home and community care and optimally supports injured workers return to productive work?
- (62) Can the Minister undertake to seek an explanation from SIRA why they haven't reviewed the requirement for a GP referral to access an Accredited Exercise Physiologist service to facilitate timely, effective treatment of injured workers.
- (63) Can the Minister recommend to SIRA they meet with Exercise and Sport Science Australia to review the current requirement for a medical practitioner referral to access Accredited Exercise Physiology treatment of injured workers.
- (64) Is the Minister aware that SIRA have not addressed the scope of practice for Exercise Physiologist treating complex mental health conditions which is evidence-based practice. This is restricting appropriate treatment and limiting treatment sessions approvals and care for NSW's first responders and critical workers who are seeking to recover and manage complex pathology such as, but not limited to PTSD.

Cabinet Sub Committees

- (65) What cabinet sub committees are you a member of?

Training

- (66) Since 28 March 2023, have you had training from an external stakeholder that included an invoice and payment paid for using your ministerial budget?
- (a) If yes, what is the description of training?
- (b) If yes, how much?

Department(s)/Agency(s) Annual Reports

(67) In what month will the 2023-24 annual reports for each department / agency in your portfolio be published?

(68) Will the 2023-24 annual reports for the department / agency in your portfolio include a printed copy?

(a) If yes, how much is budgeted for printing in 2024-25?

ETU membership

(69) Have you ever been a member of the Electrical Trades Union (ETU)?

(a) If yes, when?

Parliamentary Secretary

(70) Does your Parliamentary Secretary have pass access to your ministerial office?

(71) Does your Parliamentary Secretary have a desk in your ministerial office?

(72) Did any catering costs in 2023-24 include expenditure on alcohol?

Department(s)/Agency(s) in Portfolio

(73) What department(s)/agency(s) are included in your portfolio?

Former Ministerial Employees

(74) Are there any former employee from your ministerial office now employed by any department/agency within your portfolio responsibilities?

(a) If yes, how many?

Signal

(75) Are you on Signal?

(a) If yes, do you access Signal from a NSW Government device?

Ministerial Staff – Local Government Councillors

(76) As at 30 June 2024, how many of your ministerial staff were local government councillors?

(77) What local government(s) did they serve?

Union membership fees

(78) What was the expenditure for you to join a union in:

- (a) 2022-23?
- (b) 2023-24?
- (c) 2024-25?

ETU meetings

(79) Given ministerial diary disclosures do not include all meetings and provide exceptions to disclosures, since 28 March 2023, have you met with the ETU?

Workplace complaints

- (80) Have you been the subject of any workplace complaints, including bullying, harassment, and sexual harassment since 28 March 2023?
- (81) Has any member of your ministerial staff been the subject of any workplace complaints, including bullying, harassment, and sexual harassment since 28 March 2023?

Paper shredder

(82) Does your ministerial office have a paper shredder?

State Records Act

- (83) Have you and your ministerial office had training and/or a briefing about the State Records Act from State Records NSW and/or The Cabinet Office and/or Premier's Department?
 - (a) If yes, when?

Camera, video recorder and microphones

- (84) Does your ministerial office have the following paid by your ministerial budget:
 - (a) Handheld camera?
 - (b) Handheld video recorder?
 - (c) Microphone?
 - i. If yes to (a) to (c), how much is each worth when purchased?

Legal Costs

(85) How much did the Department/agencies within your portfolio responsibilities spend in legal costs since 28 March 2023?

- (a) For what specific purposes or matters was legal advice sought?
- (86) Are you a member of a union?
- (a) If yes, what union?

Advertising

- (87) How much has each Department/agency within your portfolio responsibilities spent on advertising or sponsored posts since 28 March 2023 on the following social media platforms:
- (a) Facebook
 - (b) Instagram
 - (c) LinkedIn
 - (d) TikTok
 - (e) YouTube
 - (f) X (formerly known as Twitter)

Catering

- (88) How much of your ministerial budget was spent on catering in 2023-24?
- (89) Was catering used for external stakeholders?
- (a) If yes, who were these external stakeholders?

Senior Executive Drivers

- (90) How many senior executives in your portfolio department(s) / agency(s) have a driver?

CFMEU membership

- (91) Have you ever been a member of the Construction, Forestry and Maritime Employees Union (CFMEU)?
- (a) If yes, when?

Speeches

- (92) Does your portfolio department(s) / agency(s) draft and write speeches for you?
- (93) How many public servants have undertaken writing speeches in your portfolio department(s) / agency(s)?

Hard hats and/or vests

- (94) Do you have a hard hat and/or vest for visiting infrastructure sites?
- (a) If yes, was it paid from your ministerial budget?

Efficiency dividends

- (95) Was an efficiency dividend applied to your portfolio department(s) / agency(s) within your portfolio responsibilities in:
- (a) 2023-24?
- (b) 2024-25?
- i. If so, what was the efficiency dividend applied to each department/agency?
- ii. What measures are being considered to achieve this efficiency dividend?

Gin

- (96) Since 28 March 2023, have you or your ministerial office purchased 'gin' using your ministerial budget?

Ministerial Advisers

- (97) How many staff members were employed in your ministerial office in 2023-24 FY?
- (98) What is the average salary for staff members in your ministerial office in 2023-24 FY?

Ministerial disclosures to The Cabinet Office

- (99) On what date did you last update/make a ministerial disclosure to The Cabinet Office?

Stationery

- (100) How much of your ministerial budget was spent on stationery in 2023-24?
- (101) Did your stationery expenditure include gifts for external stakeholders?
- (a) If yes, what was the gift(s)?
- (b) If yes, who received the gift(s)?

GIPA Applications / Standing Order 52 – Ministerial Office

- (102) Does your ministerial office have staff member(s) to undertake Government Information (Public Access) Act application(s) and/or Standing Order 52 requests?

- (a) If yes, has that ministerial staffer(s) received formal training about their legal obligations?

(103) How many GIPA Applications have been received by your ministerial office since 28 March 2023?

Police Commissioner Gin

(104) Have you received gin from the Police Commissioner?

Qantas Chairman's Club

(105) Are you a Member of the Qantas Chairman's Club?

- (a) If no, have you ever previously been a member?
- (b) If yes, when did you cease to be a member?
- (c) If yes, when did you initially become a member?
- (d) If yes, when did you make a declaration to The Cabinet Office?
- (e) If yes, how many times since 28 March 2023 have you used the Qantas Chairman's Club?

E-Toll

(106) Does your ministerial vehicle have an E-Toll?

- (a) If yes, is expenditure paid by your by your ministerial budget?

Department(s)/Agency(s) Gifts and Hospitality Register

(107) Does your portfolio department(s)/agency(s) have a gifts and/or hospitality register?

- (a) If yes, is it available online?
 - i. If yes, what is the URL?

Ministerial visits

(108) Since 28 March 2023, have you visited any of these postcodes:

- (a) 2077?
- (b) 2079?
- (c) 2080?

- (d) 2081?
- (e) 2082?
- (f) 2083?
- (g) 2117?
- (h) 2118?
- (i) 2119?
- (j) 2120?
- (k) 2121?
- (l) 2125?
- (m) 2126?
- (n) 2151?
- (o) 2154?
- (p) 2156?
- (q) 2157?
- (r) 2158?
- (s) 2159?
- (t) 2756?
- (u) 2775?

i. If yes to (a) to (u):

1. What was the purpose of the visit(s)?
2. Did you make a funding announcement(s)?

Ministerial Code of Conduct

(109) Since 28 March 2023, have you breached the Ministerial Code of Conduct?

- (a) If yes, what was the breach?

TikTok

(110) Are you on TikTok?

- (a) If yes, do you access TikTok from a NSW Government device?

CFMEU meetings

- (111) Given ministerial diary disclosures do not include all meetings and provide exceptions to disclosures, since 28 March 2023, have you met with the CFMEU?

Credit Cards

- (112) Have you ever been issued with a credit card by a NSW Government department(s) and/or agency(s) since 28 March 2023?

- (a) If yes, under what circumstance?
(b) If yes, what items and expenditure was undertaken?

- (113) For each department, agency and/or other body in the Minister's portfolio please report:

- (a) How many credit cards are currently on issue for staff? (Please provide a break-down of this information by grade)
(b) What was the value of the largest reported purchase on a credit card for the last year?
(c) What was each largest reported purchase for?
(d) What was the largest amount outstanding on a single card at the end of a payment period?
(e) And what was the card holder's employment grade?
(f) How many credit cards have been reported lost or stolen?
(g) What was the cost to replace them?
(h) How many credit card purchases were deemed to be illegitimate or contrary to agency policy?
 i. How many purchases were asked to be repaid on the basis that they were illegitimate or contrary to agency policy and what was the total value thereof?
 ii. Were all those amounts repaid?
(i) Are any credit cards currently on issue connected to rewards schemes?
 i. Do staff receive any personal benefit as a result of those reward schemes?
 ii. Can a copy of the staff credit card policy please be provided?

Ministerial Vehicles and Driving Offences

(114) Since 28 March 2023, have you personally driven your ministerial vehicle?

(115) As a driver since 28 March 2023:

- (a) Have you been pulled over by the NSW Police Force?
- (b) Have you been fined for speeding?
- (c) Have you been fined for school zone related offence?
- (d) Have you been fined for red light related offence?
- (e) Have you been involved in an accident that included the NSW Police attending the scene?
 - i. If yes to a) to e), did this include whilst driving your ministerial vehicle?

Department(s)/agency(s) desk or office

(116) Do you have a desk or office in your portfolio department(s)/agency(s) building(s)?

Land audit – Department(s)/Agency(s)

(117) Has your portfolio department(s)/agency(s) undertaken a land audit of surplus government property in any of the following postcodes:

- (a) 2077?
- (b) 2079?
- (c) 2080?
- (d) 2081?
- (e) 2082?
- (f) 2083?
- (g) 2117?
- (h) 2118?
- (i) 2119?
- (j) 2120?
- (k) 2121?
- (l) 2125?

- (m) 2126?
- (n) 2151?
- (o) 2154?
- (p) 2156?
- (q) 2157?
- (r) 2158?
- (s) 2159?
- (t) 2756?
- (u) 2775?

i. If yes to (a) to (u), how many properties have been identified

Mobile phones

- (118) How many mobile phones has your ministerial office been allocated as at 1 July 2024?
- (119) How many mobile phones in your ministerial office have been lost or stolen since 28 March 2023?

Consultants

- (120) Since 28 March 2023, how many consultancy contracts have been signed in your portfolio agencies, broken down by agency?
 - (a) What was the individual amount of each contract?
 - (b) What is the purpose of each contract?
 - (c) Who was the contract with?
 - (d) Did the contract go through a competitive tender?

Ministerial staff disclosure of gifts and/or hospitality

- (121) Does your ministerial office keep a register of gifts and/or hospitality for staff to make disclosures?
- (122) Have any staff members in your office been the recipient of any free hospitality?
 - (a) What was the total value of the hospitality received?
 - (b) Are these gifts of hospitality declared?

Department(s)/Agency(s) Travel

(123) As Minister, do you approve overseas travel for public servants in your portfolio department(s) / Agency(s)?

(a) If yes, how many overseas trips have you approved since 28 March 2023?

(124) Since 28 March 2023, how much has been spent on charter air flights by your portfolio agencies, broken down by agency?

(125) Since 28 March 2023, how much has been spent on domestic flights by your portfolio agencies, broken down by agency?

(a) Of these, how many flights were taken in business class?

(126) Since 28 March 2023, how much has been spent on international flights by your portfolio agencies, broken down by agency?

(a) Of these, how many flights were taken in business class?

(b) Of these, how many flights were taken in first class?

(127) What was the total expenditure since 28 March 2023 by each Department/agency within your portfolio responsibilities on:

(a) Taxi hire?

(b) Ridesharing services?

(c) Limousine/private car hire?

(d) Hire car rental?

Cabinet documents

(128) Since 28 March 2023, have you shared Cabinet documents with your Parliamentary Secretary?

Website usage

(129) What were the top 20 most utilised (by data sent and received) unique domain names accessed by your ministerial office since 28 March 2023?

(130) What were the top 20 most accessed (by number of times accessed) unique domain names accessed by your ministerial office since 28 March 2023?

Department(s)/Agency(s) Employees

- (131) How many senior executive service employees were employed by each Department/agency within your portfolio responsibilities on:
- (a) 28 March 2023?
 - (b) 1 July 2023?
 - (c) 1 January 2024?
 - (d) 1 July 2024?
- (132) How many public servants within your portfolio department(s)/agency(s) were paid more than the Premier in 2023-24?
- (133) How many redundancies were processed by each Department(s)/agency(s) within your portfolio responsibilities since 28 March 2023?
- (a) Of these redundancies, how many were:
 - i. Voluntary?
 - ii. Forced?
 - (b) What was the total cost of all redundancies in each Department/agency within your portfolio responsibilities?

Media releases and statements

- (134) Are all the ministerial media releases and statements issued by you publicly available at <https://www.nsw.gov.au/media-releases>?
- (a) If no, why?

GIPA Applications – Department(s)/Agency(s)

- (135) Since 28 March 2023, have you and/or your ministerial office given instructions to your portfolio department(s)/agency(s) in relation to Government Information (Public Access) Act application(s)?