

City building sites now bear "No Ticket No Start" signs declaring that non-CFMEU members are barred from entering, and sites where work is under way and being performed in part by non-union members are receiving impromptu visits from Construction Forestry Maritime Mining and Energy Union officials demanding entry on safety grounds.

Does that concern you, Ms Parker, given that the article was only written on 7 November and this type of behaviour is occurring?

Ms Parker: Yes. We'll obviously monitor the situation.

Ms Volzke: Can I add to Ms Parker's answer as well. Given that it was only an article yesterday, it would seem to—and we can never generalise—

Senator CASH: You don't have anybody monitoring the behaviour going on currently—

Ms Volzke: No, no, no.

Senator CASH: on building sites, given your female inspectors may well be subject to this behaviour?

Ms Volzke: What I meant was that it was only written yesterday. It was recent in that respect. I'm certainly aware of it, but I just meant that this this was an article from yesterday. What I would say in reading that is that it seems to raise potential general protections, 346, 'no ticket no start' and freedom of association types of issues. Those are already matters that we do investigate. In fact, we have a matter on at the moment in court, FWO and CFMMEU, in relation to the Oaky North mine. That does relate to adverse action and coercion during protected industrial action as well and involves various allegations. Sorry—I should say it's not the construction division; I think it's the mining and energy division. It involved 'scab' signs, social media abuse and verbal abuse as well. That matter is currently, as I understand it, listed for a case management hearing for 22 February 2023. I guess all I'd say is, this is not necessarily new work. I understand absolutely the point about the challenges, but we also have—

Senator CASH: It's even worse that it's not new work. Good God! It's even worse. There's a pattern of behaviour here that you've just confirmed. Ms Parker, will you be directing any resources to Adelaide, given that their construction sector appears to be being targeted?

Ms Parker: We do have an Adelaide office.

Senator CASH: Yes, I know. That's why I asked if you were directing any further resources to Adelaide.

Ms Parker: We will if we need to. What I would say is that we do also operate on a national basis. Adelaide based people don't just do Adelaide based work. We can send people to various sites, cities or regions if we need to. We have 22 offices around the country, and they do operate quite flexibly, so we can move resources as needed. Do you want to add to that, Mark?

Mr Scully: I was just going to add that at 30 June we had 92 people in our Adelaide office, of which 16 were Fair Work inspectors, so it's quite a substantial presence we have in Adelaide at the moment.

Senator CASH: How many are female?

Mr Scully: I'd have to take that on notice.

Senator CASH: Could you please take that on notice for me. Ms Parker, what discussions have you had with Minister Burke, or what discussions has Minister Burke had with you, regarding that you have the ability and the appropriate resources to ensure that female Fair Work Ombudsman inspectors who are going to building sites will not be subject to this type of behaviour but also are basically protected?

Ms Parker: We haven't, and I wouldn't expect to have that sort of level of discussion with a minister.

Senator CASH: Can you then guarantee that your female inspectors will be safe when they go to building sites in the future and will not be subject to this type of behaviour?

Ms Parker: I'd love to give you a 100 per cent guarantee that everyone in my agency is safe. We absolutely implement work health and safety requirements. The law as it stands says, 'Do what's reasonably practicable to provide a safe workplace.' We will do that. We will take it very seriously, as we do with everything around health and safety. But, like anybody, I can't ever guarantee 100 per cent that something isn't going to go wrong.

Mr Ronson: I'll help flesh out that answer. As a fundamental part of the training, Senator, which is where you started: before every site inspection, before every field investigation—at the beginning of every investigation there is an investigation plan. That brings into what Ms Parker was just talking about. A full assessment is taken of 'what is the workplace?'. That will include an assessment of the workplace health and safety aspects. Each investigation is different.

Senator CASH: What will you do in the event that an issue arises and a safety plan is one that says, 'We cannot send inspectors to this site?'