Answers to questions on notice by Dr Frances Flanagan, Research Director at United Voice. Asked by Senator Hume and Senator Abetz at a public hearing in Caboolture on 19 July 2018; received 16 August 2018.

Written questions on notice from Senator Jane Hume to all United Voice branches:

(a) **Can you provide examples of United Voice's experience with sham or pyramid contracting in your state in the retail sector?**

United Voice has dealt with hundreds of cases of cleaners involved in sham and pyramid contracting in the cleaning industry in general. Examples that specifically relate to retail cleaning include:

- Cleaners of Myer stories in Victoria in 2015 were in sham contracting arrangements with INCI Corp, an entity that had been sub-contracted to undertake cleaning work from the large cleaning firm, Spotless.
- Cleaners of several Melbourne Myer stores in 2015 were in sham contracting arrangements A&K Saana Services, who had been sub-contracted by Pioneer Facilities services, who had in turn been sub-contracted by RCS Cleaning Services, who held the original contract with Myer.
- Cleaners of Harris Scarfe Rundle Mall and Adelaide Airport were found to be in sham franchising arrangements by the cleaning contractor Academy Services in 2010 and 2014.
- Cleaners of a large regional Queensland shopping centre were engaged in a pyramid subcontracting arrangement in 2016 and paid $20 an hour flat rates.
- Cleaners of two major shopping centres in Queensland were paid flat hourly rates for weekend and night cleaning by a major cleaning contractor, Quad Services, who had sub-contracted work out to smaller companies.
- In 2014, cleaners at a large shopping centre in Melbourne's west had been forced on to ABN arrangements and paid between $14.00 and $16.00 per hour with no sick leave or superannuation. The cleaners had been promised direct employment with the primary contractor, Millennium Cleaning, but this never happened.

(b) **Can you provide the committee an indication of the number of times United Voice has referred these cases to the Fair Work Ombudsman to investigate?**

In most cases, United Voice does not refer cases of worker exploitation to the Fair Work Ombudsman where the workers in question are members. We attempt to recoup payment through engagement with the employer, or where necessary undertake litigation on the basis of our standing to apply for orders in relation to contravention of the *Fair Work Act* as set out in s539.

(i) Of these referrals, can you confirm they were followed up?

Not applicable.

(ii) If the case wasn't referred, what, if any, contact did United Voice have with the Fair Work Ombudsman?

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United Voice works closely and constructively with the FWO on general matters of compliance in the industry. From time to time, we will advise the FWO of particular matters that are likely to be of sector-wide significance, such as the two matters described above involving Myer.

Question on notice from Senator Eric Abetz to Dr Frances Flanagan:

Are their [Woolworths] records any better now and are they of a sufficient standard from your point of view? If not, what else should Woolworths be doing to ensure that their contractual arrangements are of a sufficient standard?

Woolworths are presently taking positive steps to improve their record-keeping by joining the CAF advisory group. We consider the sufficient standard for contractual arrangements for cleaners to be the CAF 'three star standard', which includes processes for worker-led supply chain auditing. We look forward to Woolworths continuing discussions with the CAF advisory group and agreeing to meet the three star standard.