



## **UNITED VOICE SUBMISSION**

### **RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE**

### **INQUIRY INTO AIRPORT AND AVIATION SECURITY**

**30 January 2015**

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## ABOUT US

1. United Voice welcomes the opportunity of making a submission on behalf of our members to the Rural and Regional Affairs and Transport References Committee regarding the Senate inquiry into Airport and Aviation Security.
2. United Voice is a union of workers across Australia organising to win better jobs, stronger communities, a fairer society and a sustainable future. We represent people working in a diverse range of industries including aged and disability care, early childhood education and care, cleaning, hospitality, healthcare, security, clubs and manufacturing.
3. United Voice has coverage of workers who provide essential aviation security services at airports across Australia. This includes workers in the passenger and baggage screening areas, various security checkpoints and security gates. Nationally, United Voice has approximately 1000 members employed in airport security. As the people working directly in aviation security on a daily basis, our members appreciate the opportunity to ensure their opinions, ideas and experiences are considered as part of this inquiry.

*“Safety shouldn’t be about profit, it should be about public security and public service. Our current system isn’t concerned with keeping the Australian public safe; it’s all about the bottom line for the company”*

- Member 1, Long term airport security worker, directly contracted security company

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## TERMS OF REFERENCE

4. On 4 December 2014, the Senate moved that Airport and Aviation Security be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 26 April 2015.
5. The terms of reference are as follows:
  - a) recent media reports on apparent breaches in airport and aviation security at Australian airports;
  - b) consideration of the responses to those reports from the Government, regulators, airports and other key stakeholders, and the adequacy of those responses;

- c) whether there are further measures that ought to be taken to enhance airport security and the safety of the travelling public;
- d) the findings of, and responses to, reports undertaken into airport security issues since 2000; and
- e) any related matters.

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## SUMMARY OF RECOMMENDATIONS BY UNITED VOICE

**Recommendation 1** that employment standards for airport security workers become a key part of federal aviation policy, reflecting the important role they play as one of the front lines against transport of dangerous goods and unlawful interference with aviation.

**Recommendation 2** that the Commonwealth Government assumes the control of aviation security for all Australian airports and is held accountable for the consistent delivery of the highest standard of aviation safety and security through directly employing professionally trained and qualified airport security workers.

**Recommendation 3** that further regulatory amendments are implemented to strengthen the existing minimum standards of training, in particular on-going training requirements, for all airport security workers

**Recommendation 4** that if outsourcing, and particularly sub-contracting, continues to be permitted in Australian aviation security, contractors and sub-contractors must be held to the same high quality and high standards of training, qualifications, working conditions and security clearance requirements.

**Recommendation 5** that further regulatory amendments are implemented to ensure that all persons who work in a security role at the airport must at all times have in their possession a valid Aviation Security Identification Card. The use of a Visitor Identification Card in the place of an Aviation Security Identification Card for airport security workers should never be permitted.

**Recommendation 6** that all persons who access an airport secured zone must have their baggage x-rayed and must be subject to a walk through metal detector in recognition of the potential security risk to the Australia public of permitting unscreened persons in secured areas.

**Recommendation 7** that all checked baggage, whether it be oversized, fragile or standard, be subject to the same standards of security screening, which must include x-ray detection.

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## THE CURRENT THREAT TO NATIONAL SECURITY

6. Quality training for staff combined with long term, secure employment is essential for the security of our airports and Australian passengers. Media reports have highlighted that the Australian community expects the workers at airports to be well above international standards for safety and security. Workers and their union are both important allies in upholding the airport security standards the Australian public demands.
7. United Voice has been a long-standing advocate for appropriate checks and training of airport staff. We acknowledge that we have come a long way from when workers were scapegoats for inadequate government policy and oversight<sup>1</sup>. Our members work in dangerous, high risk and high pressure environments for considerably low wages and routinely tell us the important work they do protecting Australian travellers. We oppose any moves that would reduce the safety of travellers or those working in airports.
8. Whilst the current terror alert level is high<sup>2</sup> the challenges of airport security do not only occur during periods of high alert. The Australian Government's coding system provides that even a low alert level simply means a "terrorist attack is not expected"<sup>3</sup>. As airport security workers are the first line of defense, and routinely work in a dangerous environment, regardless of the threat level it is imperative that security standards are continually maintained to the highest quality.
9. We are concerned that attempts to reduce the screening of some passengers by the Australian Airports Association<sup>4</sup> will create additional risk to both passengers and staff. There is no logical argument to take shortcuts when it comes to our security. Indeed, we recently saw when the Australian Parliament reduced security that the building security was permanently compromised. As Senator Heffernan noted *"Up until this point, most people working in this building know that it's safe. I don't think it any longer is and to demonstrate that this morning I brought in what could be, I brought this through security, a pipe bomb"*<sup>5</sup>.

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<sup>1</sup> <http://www.smh.com.au/news/National/50-airport-staff-failed-crime-check/2005/05/31/1117305622828.html>

<sup>2</sup> <http://www.nationalsecurity.gov.au/Securityandyourcommunity/Pages/Frequentlyaskedquestions.aspx>

<sup>3</sup> <http://www.nationalsecurity.gov.au/Securityandyourcommunity/Pages/NationalTerrorismPublicAlertSystem.aspx>

<sup>4</sup> <http://www.smh.com.au/business/aviation/australian-airport-security-rethink-for-8216lowrisk8217-passengers-20141125-11tgyk.html>

<sup>5</sup> <http://www.theaustralian.com.au/national-affairs/bill-heffernan-smuggles-replica-pipe-bomb-into-parliament-house/story-fn59niix-1226931534802>

**Recommendation 1** that employment standards for airport security workers become a key part of federal aviation policy, reflecting the important role they play as one of the front lines against transport of dangerous goods and unlawful interference with aviation.

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## THE CONTROL OF AIRPORT SECURITY

10. The Department of Infrastructure and Regional Development (the Department) administers the *Commonwealth Aviation Transport Security Act (2004)* (The Act) and the *Aviation Transport Security Regulations (2005)* (The Regulations). The main purpose of this legislation is to establish a regulatory framework to safeguard against unlawful interference with aviation by establishing the minimum security requirements for civil aviation in Australia and imposing obligations on persons engaged in civil aviation related activities<sup>6</sup>.
11. Prior to 1997, Australia's major airports were operated by the Federal Airports Corporation, a self-regulated Government-owned business enterprise. Between 1997 and 2003, the Australian Government sold long term leases over 21 major airports to the private sector as part of a national privatisation of major Australian airports<sup>7</sup>. In 1997, Perth Airports Pty Ltd (PAPL) entered into a 99-year leasehold interest over Perth Airport<sup>8</sup>. PAPL operates Terminal 1 (T1) (international services), Terminal 2 (T2) (regional) and Terminal 3 (T3) (domestic and interstate). The Qantas Group operates the Qantas Domestic Terminal 4 (T4).
12. In Australia, while the Department administers the operation of the Act, it is the airport operators, and not the Department, who are responsible, and held accountable, for the delivery of aviation security services. Therefore, airport security workers at major Australian airports are not directly employed by the government. Further, there is no requirement for airport security workers to be directly employed by the airport operator itself. Instead, the airport operator will generally outsource these roles to private security screening companies.
13. At Perth Airport, ISS Security holds the contract for T1, T2 and T3, and MSS Security Pty Limited holds the contract for T4. In June 2013, MSS commenced the sub-contracting of security work to JACMAH Enterprises Pty Ltd trading as X-Men Security Services and Perth Guard Services. Members have reported that since June 2013 there have been no new MSS employees at T4,

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<sup>6</sup> *Aviation Transport Security Act 2004* (Cth) Part 1, Division 2, Section 3

<sup>7</sup> *Airports Act 1996* (Cth)

<sup>8</sup> PAPL is a wholly owned subsidiary of Perth Airport Development Group Pty Ltd.

despite losing at least 30 employees in the last 12 months. Instead, the use of sub-contractors has rapidly increased. Members report being advised by management that MSS will continue to engage sub-contractors instead of direct employees for the foreseeable future. We understand that at T4, sub-contractors make up anywhere between 25% to over 50% of the total workforce on any given shift. We are not aware of ISS using subcontractors at the Perth terminals.

14. In Victoria, ISS Security currently holds the contract for the international division of the Tullamarine Airport and MSS Security holds the contract for the domestic Qantas division of the airport. Within the last 12 months in Victoria, we have seen the beginnings of subcontracting within the domestic Qantas division. We understand that there may be approximately 30 sub-contractor Guards from Opal Security and Phoenix Security engaged through MSS. In contrast, ISS Security do not use subcontractors and all employees are directly employed by ISS Security.
15. From an international perspective, the responsible entity for aviation security differs between jurisdictions. Countries such as Canada<sup>9</sup>, Spain<sup>10</sup> and Sweden<sup>11</sup> follow a centralised model whereby the appropriate government authority takes direct operational control of aviation security. Prior to September 11 2001, airport screening in the US was controlled by private security operators. After the events on September 11, airport screening was brought in-house with the *Aviation and Transport Security Act* requiring passenger and baggage screening to be completed by Federal employees<sup>12</sup>.
16. In contrast, some countries such as France<sup>13</sup> and Greece<sup>14</sup> follow a decentralised model like Australia, whereby the government acts as a supervisor or regulator and the airport operators are responsible for, and in direct control, of security.
17. The events of September 11 highlighted the risks associated with privatisation and outsourcing of aviation security, with the dangers of poor quality and inconsistent screening practices becoming an international focus. Although in Australia the decentralised model has not led to a

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<sup>9</sup> Air Administration of the Department of Transport

<sup>10</sup> Responsibility for screening is shared between AENA (government body), the Minister of Interior and the Spanish police force.

<sup>11</sup> Airports are owned and operated by the Swedish Civil Aviation Authority, LfV.

<sup>12</sup> <http://www.businesstravelnews.com/More-News/Gov-t--Takes-Over-Airport-Screening-This-Weekend/?a=btn>

<sup>13</sup> The two airports operated by Aeroports de France represent over 60% of departing traffic from France.

<sup>14</sup> All screening activities at Athens International Airport have gradually been decentralised to private operators.

major event, our members have voiced concern that the reduced accountability and control that is a direct result of contracting and sub-contracting, dramatically reduces the quality of the aviation security workforce as a whole. This in turn can generate unacceptable security risks that directly threatens the safety of those who work in airports and the Australian public.

18. Many of our members have reported being concerned by MSS' somewhat relaxed attitude to the quality and competency of the sub-contractors.

*"We are told by MSS that the sub-contractors are not their concern as they are out of their control, but they are working at our site, alongside us in an MSS uniform, if they make a mistake how can it not be MSS concern?"*

- Member 1, Long term airport security worker, directly contracted security company

19. This lack of accountability is further reinforced in the context of the monthly competency testing. Members are advised that they must detect at least 90% of fictional images of confiscated objects that pass through the x-ray. Members report that very few officers actually achieve this target, with many subcontractors barely achieving over 50% competency rate.

*"Anyone else who is deemed to be only 50% (or less) competent in their job would receive some sort of training or performance management. Why should it be any different in Airport Security?"*

- Member 2, Long term airport security worker, directly contracted security company

20. Our members have reported that the subcontractors are not being provided with the same quality and standards of training that they themselves are subject to. Put simply, where professional and appropriately trained security officers are engaged, the public is safe. Where they are not, the public is unsafe.

*"We are professionally, highly trained security guards. We have been doing this work a long time, and our skill level is the absolute highest. We do training all the time and we get tested and assessed all the time. We have continuous training in screening, weapons detection, explosives detection and more. We have to consistently maintain the highest rate of detection accuracy. If you had an unqualified, unlicensed or inexperienced person doing this work, they would miss things and things would get through the system. Being directly*

*employed to our security company means getting through a high criteria. It is only the right professionally security guards who make it through that process. We know that if you don't meet that criteria - the company will not give you the job".*

- Member 3, Long term airport security worker, directly contracted security company

*"Training of sub-contractors has been made a lot easier than what I experienced. They are cleared of all elements in 42 hours, including the x-ray. Previous to this no one had been cleared in that time. After 40 hours of training you would then have to sit with an experienced officer 5-8 times a day for your 20 minute rotation on the x-ray screen. Then after 6-8 weeks you would be tested. I don't know how it has gotten so lax."*

- Member 1, Long term airport security worker, directly contracted security company

21. Our members have reported that the subcontractors are not subject to the same working conditions as the MSS employees. Lack of regulation in terms of the span of working hours for sub-contractors can lead to extreme fatigue which puts fellow workers and the Australia public at risk.

*"The longest shift I have worked is 12 hours and I normally have at least an 8 hour break between shifts. It's not the same for the sub-contractors. Some sub-contractors have done a 10.5 hour night shift, slept in their car and are back on shift less than 4 hours later, sometimes to do another 10.5 hour shift. Some have done crowd control at a night club and then come straight to start with us at 4am"*

- Member 4, Long term airport security worker, directly contracted security company

*"The sub-contractors work much longer hours, sometimes even as much as a 17.5 hour shift. Sometimes they come straight to the airport from working at other sites like nightclubs and bars and will work three consecutive shifts with short breaks in between. People often spend the break between shifts asleep in their car. One person was so fatigued he was falling asleep at his post".*

- Member 1, Long term airport security worker, directly contracted security company



22. Our members know that professionally trained and licensed security officers are able to ensure the highest standard of safety and keep the public safe. Where someone is not sufficiently trained, or is not provided with ongoing training, mistakes can be made which can put fellow workers and the Australia public at risk.

*“A sub-contractor noticed a pair of scissors on the x-ray screen so I pulled the bag. When I opened the bag I found an angle grinder with blades and batteries. It had to be at least a foot and a half long. The subcontractor hadn’t even noticed it on the x-ray screen. When I notified the senior they replied ‘lucky you were working the off-loader’ and nothing came from it”*

- Member 1, Long term airport security worker, directly contracted security company

*“Previous to the subcontractors if you missed a confiscated item you would be directly supervised for 1-2 weeks and then retested. A subcontractor missed a pocket knife in a passenger’s hand luggage and was only sat with for the rest of the day. They were never retested”*

- Member 2, Long term airport security worker, directly contracted security company

23. Achieving the highest standards of aviation safety requires consistency. The decentralised model of security control and the increasing use of sub-contractors in this field has led to inconsistent security practices. This inconsistency exists between contractors and sub-contractors at the same airport as well as between airports across Australia. Our members report that inconsistent security practices not only leads to mistakes being made, but can result in increased passenger frustration and aggression, which can already be quite high, particularly in busy periods.

*“It’s quite common for us to be verbally abused by passengers when we pull them up on something we deem to be a security risk but that hasn’t been detected at a different airport. The security staff are frequently told ‘I got that through Melbourne’ or ‘Sydney didn’t pick that up’, there is extreme pressure on the security staff and the passengers get frustrated by the long queues when bags have to be physically checked”*

- Member 2, Long term airport security worker, directly contracted security company

**Recommendation 2** that the Commonwealth Government assumes the control of aviation security for all Australian airports and is held accountable for the consistent delivery of the highest standard of aviation safety and security through directly employing professionally trained and qualified airport security workers.

**Recommendation 3** that further regulatory amendments are implemented to strengthen the existing minimum standards of training, in particular on-going training requirements, for all airport security workers.

**Recommendation 4** that if outsourcing, and particularly sub-contracting, continues to be permitted in Australian aviation security, contractors and sub-contractors must be held to the same high quality and high standards of training, qualifications, working conditions and security clearance requirements.

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## THE ASIC CARD

24. The Aviation Security Identification Card (ASIC) aims to ensure only those people who have undergone a background check are permitted to be in secured areas of the airport without supervision. The card itself does not automatically give the holder unfettered right of entry to a facility within an aviation security zone. Rather, it simply represents that an individual has passed certain background checks. ASIC cards are valid for up to 2 years.

25. An application for an ASIC card is made through an issuing body. There are 46 different issuing bodies listed on the Departments webpage to which these applications can be made<sup>15</sup>. AusCheck, which is a unit of the Attorney Generals Department, is responsible for coordinating the background checks of AISC applicants on behalf of the issuing body. As part of the application process the individual is subject to a federal criminal record check through CrimTrac, a security assessment by ASIO and, if required, an unlawful non-citizen check through the Department of Immigration and Citizenship.

26. Visitor Identification Cards (VICs) are issued to temporary visitors to secured areas of the airport who have a valid reason for entering the area. People who hold VICs must be under direct

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<sup>15</sup> [http://www.infrastructure.gov.au/transport/security/aviation/asi/asic\\_issuing\\_bodies.aspx](http://www.infrastructure.gov.au/transport/security/aviation/asi/asic_issuing_bodies.aspx) note: some of the issuing bodies have restrictions on who they can accept applications from.

supervision by someone who holds an ASIC card at all times. A VIC is limited to a maximum of 28 days within a 12 month period at each airport. To apply for a VIC a person only needs to supply proof of their identity, a declaration stating they have not been refused an ASIC, had an ASIC cancelled or one that is currently suspended and a declaration that they have not been issued a VIC in breach of the 28 day rule.

27. Despite the enhancements to ASIC and VIC regulations as a result of the Commonwealth Government's *National Aviation Policy White Paper* (2009), our members are still concerned that the use of a VIC in place of an ASIC still represents a significant security risk. The processing time for an ASIC has resulted in a practice whereby some companies rely on VICs for a significant proportion of their workforce. Our members have reported that they are aware of sub-contractors being issued VICs for an extended period of time in place of an ASIC card.

*"Originally you were only allowed to work on the x-ray screen if you were in possession of an ASIC card. Now sub-contractors, who have been ASIC cleared, but who have not yet been issued with an ASIC and who are only in possession of a VIC card are allowed to work on the screen".*

- Member 1, Long term airport security worker, directly contracted security company

28. Members have also voiced concerns regarding the presence of expired VICs among some sub-contractors.

*"A subcontractor was on the floor during my duties. I noticed that his visitors pass was two days expired. I informed my senior officer. If a police officer had noticed this MSS could have been fined"*

- Member 2, Long term airport security worker, directly contracted security company

*"I have noticed 3 out of date VICs in just the last 2 months, and one was for a sub-contractor who was working the x-ray screen".*

- Member 1, Long term airport security worker, directly contracted security company

29. We acknowledge that there may be a delay in applying for an ASIC and having the card issued. However, given that airport security officers are directly responsible for upholding the safety of Australian airports and given the fairly low requirements for receiving a VIC, our members believe that only those people who have been successfully screened and issued with their ASIC should be permitted to work in an airport security role.

**Recommendation 5** that further regulatory amendments are implemented to ensure that all persons who work in a security role at the airport must at all times have in their possession a valid Aviation Security Identification Card. The use of a Visitor Identification Card in the place of an Aviation Security Identification Card for airport security workers should never be permitted.

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#### **OTHER SECURITY RELATED MATTERS**

30. Members have also reported concerns about the lack of sufficient security practices for people who pass through the baggage handler doors at airports. Members report that security officer stationed at the door is only permitted to confirm that a person passing through the door has a valid ASIC or VIC. These people are exempt from any sort of body or baggage screening.

*“You have staff accessing a secured area and they could have anything strapped to their bodies, or in their pockets. Cleaners go through with full rubbish bins, delivery trolleys go through. We are allowed to look in the bags but not to touch them.”*

- Member 2, Long term airport security worker, directly contracted security company

**Recommendation 6** that all persons who access an airport secured zone must have their baggage x-rayed and must be subject to a walk through metal detector in recognition of the potential security risk to the Australia public of permitting unscreened persons in secured areas.

31. Members have also reported concerns with security practices relating to oversize and fragile baggage. Passenger baggage that are marked oversized or fragile, such as sporting or photography equipment, are subject to explosive trace testing only and do not undergo any x-ray detection. Some of our members do not believe this is a sufficient practice and poses a significant security risk.

*“Where a flight is closed for baggage acceptance, oversized and fragile bags can still be let onto the aircraft as they go through different screening channels. There have been instances where bags have been tagged as fragile simply because the flight has closed and to ensure a passengers bag makes the flight. This is a breach of security and has led to arguments between airport staff and security officers”*

- Member 1, Long term airport security worker, directly contracted security company

**Recommendation 7** that all checked baggage, whether it be oversized, fragile or standard, be subject to the same standards of security screening, which must include x-ray detection.

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## SUMMARY

The current terror alert level in Australia is high. Airports continue to remain attractive targets for terrorist attacks due to the ability to cause massive damage to human life, negative economic impacts and to install widespread public fear.

In most instances, airport security workers are the first line of defence against threats to aviation safety. The use of contractors and subcontractors has resulted in inconstancy within airports and across Australia regarding quality of training, experience, working conditions and standards of workers in a security role. This presents a threat to workers at airports and public safety. United Voice opposes any moves that would reduce the safety of travellers or those working in airports. Put simply, where professional and appropriately trained airport security workers are engaged, the public is safe. Where they are not, the public is unsafe.