

Senate Standing Committee on Education and Employment

QUESTIONS ON NOTICE Budget Estimates 2015 - 2016

Agency - Fair Work Building and Construction

Department of Employment Question No. EMSQ15-000119

Senator Cameron asked on 02 June 2015 on proof Hansard page 75

Question

FWBC - Breach of right of entry

Senator CAMERON: But you were aware of those breaches?

Mr Hadgkiss: No.

Senator CAMERON: Not even from 28 January?

Mr Hadgkiss: I have to take that on notice.

Senator CAMERON: So you became aware in the media. Do you know what media outlet?

Mr Hadgkiss: No. I think it was the Illawarra Mercury.

Senator CAMERON: So the Illawarra Mercury was reporting terrible breaches of workers' rights?

Mr Hadgkiss: It is 26 May. I do not know. I will take it on notice because I would be speculating.

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Senator CAMERON: Until March, even though it was reported in the press?

Mr Hadgkiss: I am not sure. I said I will take it on notice, because you obviously have information or you are reading from something that I am not aware of.

Senator CAMERON: So who made the complaint about the right of entry? You did not read about that in the paper, did you?

Mr Hadgkiss: I will take that on notice. I am not familiar with the ins and outs of this investigation. I said I will take it on notice. As I say, we responded. A notice was served on the union in respect of the breaches by the two officials. But I made the decision to close the investigation when it became apparent to me, as you pointed out, the pretty awful things that took place.

Senator CAMERON: So, again—I suppose you are just going to keep taking all this on notice—what date did you decide not to proceed?

Mr Hadgkiss: We have 125 investigations on foot. With great respect, I am not familiar with each and every one of them.

Senator CAMERON: Well, I am asking you to take on notice, then, when you made that decision.

Mr Hadgkiss: Yes.

Senator CAMERON: If your media team monitors the press on these issues, why were you unaware of the egregious—

Mr Hadgkiss: I have denied that. I am not agreeing with the words you are trying to put in my mouth.

Senator CAMERON: I am not saying. I am asking you the question. Why were you not aware?

Mr Hadgkiss: I said I will take that on notice.

Answer

The timing and the source of FWBC's awareness of alleged issues on the Bombaderry site are outlined in EMSQ15-000118.

When FWBC investigators attended the site, they became aware of evidence of potential breaches of right of entry laws on the site.

On 13 March 2015 the Fair Work Ombudsman confirmed to FWBC that there had been underpayments of Chia Tung workers. After becoming aware of this development the FWBC Director ordered the matter relating to the alleged right of entry breaches be closed.