

| No. | Page of Official Hansard | Senator | Subject   | Question  |
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| 1   | 6                        | Cameron | Timing of unfilled SES positions                                  | <p><b>Senator CAMERON:</b> What is the longest period any one of those senior executive positions has remained unfilled?</p> <p><b>Ms Kidd:</b> We would probably have to take the exact timing on notice. It is probably in the order of 18 months.</p>  |
| 2   | 7                        | Cameron | Number of redundancies  | <p><b>Senator CAMERON:</b> Have there been any redundancies, forced or otherwise, since last estimates?</p> <p><b>Ms Leon:</b> There certainly have not been any forced redundancies and there have not been any widespread redundancies, but, from time to time, we have the occasional one-off redundancy. I will just check if there have been any since last estimates.</p> <p><b>Ms Kidd:</b> There has been a small number since last estimates—five.</p> <p><b>Senator CAMERON:</b> What kind of classifications were they?</p> <p><b>Ms Kidd:</b> I do not have the classifications here. We can take that on notice.</p> <p><b>Senator CAMERON:</b> Were there any SES?</p> <p><b>Ms Kidd:</b> No.</p> |
| 3   | 8                        | Cameron | Circumstances and costs of redundancies                           | <p><b>Senator CAMERON:</b> Can you provide details of the specific circumstances in relation to those five redundancies and whether those redundancies were proposed by the employee or the department?</p> <p><b>Ms Leon:</b> Yes.</p> <p><b>Senator CAMERON:</b> Do you have the cost of those redundancies?</p> <p><b>Ms Kidd:</b> No. We can take that on notice.</p>   |
| 4   | 11                       | Cameron | Marketing strategy for jobactive                                  | <p><b>Senator CAMERON:</b> Do you have a marketing strategy for this campaign? Can you provide the details of the marketing strategy?</p> <p><b>Ms Fairweather:</b> Certainly, advertising is a significant part of that, because we know that messages out in the media will really drive awareness.</p> <p><b>Senator CAMERON:</b> I am not interested in the theory behind it; I am asking whether you have a marketing strategy and can you provide me with it.</p> <p><b>Ms Leon:</b> We will have a look at what we can provide you on notice.</p> <p><b>Senator CAMERON:</b> Thanks.</p>   |
| 5   | 18                       | Siewert | Per centage of unemployed young people who have not worked before | <p><b>Mr Hehir:</b> As the secretary said, the first stage of the path is the preparation—that is, the pre-employment training. There are approximately 100,000 young people who are unemployed who have never worked before. That is close to the highest. It is not quite the highest, but it is close to the highest that it has been since the data started being recorded by the ABS.</p> <p><b>Senator SIEWERT:</b> Is that percentagewise or is it a number?</p> <p><b>Mr Hehir:</b> It is a number.</p> <p><b>Senator SIEWERT:</b> Yes, well, of course: the population is growing.</p> <p><b>Mr Hehir:</b> I will get a percentage.</p>  |

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| 6 | 15 | Siewert | Number of people who have left wage subsidy programmes | <p><b>Senator SIEWERT:</b> Can I perhaps ask—and I know this may take a bit of time to get the information so perhaps I will ask it and then go on while you find the information. Can you give us the data, under the existing 12-month process for termination, on how many people have fallen out of, left or been put off from the process at the moment under the current rules?</p> <p><b>Mr Hehir:</b> I think that we might have some data from an evaluation that we undertook that might answer that broadly. I will see whether we can get that.</p> <p><b>Ms Leon:</b> But, bear in mind: I will not be able to tell you out of the current wage subsidy pool, because it has not been in existence long enough for me to give you data post 12 months. That big wage subsidy pool we have at the moment is only 12 months old. I can give you generally.</p>   |
| 7 | 34 | Cameron | State workers compensation arrangements for volunteers | <p><b>Senator CAMERON:</b> What states do not cover volunteers?</p> <p><b>Mr O'Sullivan:</b> I am afraid I would have to take that on notice, because that would require a search of relevant state and territory workers' compensation law.</p> <p><b>Senator CAMERON:</b> The secretary might know, because she just said some do.</p> <p><b>Ms Leon:</b> I do not have that in any detail. I am aware that some do but I do not have state and territory legislation.</p>  |
| 8 | 43 | Siewert | Ireland's internship programme and wage subsidies      | <p><b>Senator SIEWERT:</b> My question is: do we know how many of those were then employed because they got the wage subsidy? Then do we know what happened after the wage subsidy?</p> <p><b>Ms Jensen:</b> The information that I have here is that this was the employment outcome of the internship program itself. I am happy to come back on notice to clarify whether some of that was due later to—in combination with the wage subsidy. But my understanding is: this was purely the employment impact of the internship program itself from an independent evaluation of the JobBridge internship program.</p> <p><b>Ms Leon:</b> The evaluation data we have with us do not say whether any of those people were on subsidies. So I think Ms Jensen has taken that part of notice.</p> <p><b>Senator SIEWERT:</b> There are a number of points there. We need to know whether it was a combination—whether it was the people who went through the whole process or whether it was just the internship and the subsidy, and then from a perspective of how successful the subsidy process was.</p> <p><b>Ms Jensen:</b> I am pretty sure it is purely the impact of the internship program. But we can just take that on notice to be very clear on that.</p> |

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| 9  | 44 | Johnston | Ireland's internship programme evaluation    | <p><b>Senator JOHNSTON:</b> Are these subjective assessments or are they departmental evaluations of their own work?</p> <p><b>Ms Jensen:</b> In those cases, they are objective assessments.</p> <p><b>Senator JOHNSTON:</b> So a separate outside agency was retained to review how it was working?</p> <p><b>Ms Jensen:</b> That is correct. With the Irish internship evaluation, it was an independent evaluation by Intercon, a separate company. In the case of the United Kingdom, the evaluation was a peer reviewed analysis. Again, I could take this on notice, but it looks like there was a department evaluation but it was also peer reviewed to get that independent scrutiny of the evaluation.</p>  |
| 10 | 47 | Cameron  | Monitoring of job seekers in Youth Jobs PaTH | <p><b>Senator CAMERON:</b> On notice, Ms Leon, can you provide details of how the monitoring of these—what are we calling them?</p> <p><b>Ms Leon:</b> Job seekers.</p> <p><b>Senator CAMERON:</b> They are not interns, are they?</p> <p><b>Ms Leon:</b> I do not mind if you want to call them that, if that is an easy shorthand for you.</p> <p><b>Senator CAMERON:</b> What are they going to be called in the program?</p> <p><b>Ms Leon:</b> We have not written the guidelines yet, so I do not mind if you want to call them interns.</p> <p><b>Senator CAMERON:</b> Let's call them job seekers. We will wait with interest to see what you call them in this half-baked program. What monitoring will take place? How many staff will be monitoring? What would constitute exploitation? What behaviour will result in a ban? How long will employers be banned for?</p> <p><b>Ms Leon:</b> Can I qualify that? We have given you—</p> <p><b>Senator CAMERON:</b> Can you let me finish? Is it a three-strike policy? Is there any policy developed on the bans? If you have a policy, can you table it? They are the issues that I am raising now on notice.</p> <p><b>Ms Leon:</b> I will take it on notice, but there are two qualifications to that. One is that some of the detail you have asked for will not exist yet, because we are going to develop the guidelines in consultation with industry. The second is that, as you are aware, we already have a wide range of integrity measures in place. Usually we deliberately do not put the details of those into public hearings, because we would not really want to make it easy for employers who might want to circumvent the program guidelines to evade the program scrutiny. For example, if I were to say that there is some hard and fast rule about how many times an employer can take a young person on without giving them an ongoing position, then that could be used by an unscrupulous employer to evade the program assurance. As you know, we have given you a private briefing in the past about program assurance measures, and it may be that some of the detail about the integrity measures of this program, when it is developed, is more appropriate to be handled in a private briefing than in public evidence.</p> |

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| 11 | 48 | Cameron | Ireland's internship programme outcomes   | <p><b>Senator CAMERON:</b> Do you have a brief on the Irish experience and outcomes?</p> <p><b>Ms Leon:</b> We can take on notice whether Ireland has produced a publicly available document.</p> <p><b>Ms Jensen:</b> We have had some information from the Irish about some of the guidelines that they use in the program. We can take that on notice. We have been in touch with the Department of Social Protection.</p> <p><b>Ms Leon:</b> It would be better for us to take on notice whether they are publicly available or whether Ireland has some aspects of integrity monitoring that they do not want to make public, as we do. We would have to consult our Irish colleagues about whether their guidelines are public.</p>  |
| 12 | 48 | Cameron | Consultation between Department of Employment and Ireland's equivalent Department | <p><b>Senator CAMERON:</b> Was there a process of consultation between the department and the Irish equivalent department?</p> <p><b>Ms Jensen:</b> Yes. We consulted with them to understand how they run their program.</p> <p><b>Senator CAMERON:</b> What did that consist of?</p> <p><b>Ms Jensen:</b> We read all the relevant documents and evaluations and we have had a teleconference with the key people in the Irish government.</p> <p><b>Senator CAMERON:</b> Are the relevant documents public documents?</p> <p><b>Ms Jensen:</b> We need to take that on notice, because often there may be some confidentiality aspect.</p> <p><b>Senator CAMERON:</b> Have you picked up public documents and been supplied with documents from the Irish department?</p> <p><b>Ms Jensen:</b> Yes, we have.</p> <p><b>Senator CAMERON:</b> Can you supply us with the public documents that you have been using?</p> <p><b>Senator Cash:</b> I think that is what they will check for you, to make sure that they are public.</p> <p><b>Senator CAMERON:</b> I am not asking you to check whether they are public. The answer to my question was 'Yes, there are some public documents.'</p> <p><b>Senator Cash:</b> I think that is what they are taking on notice to check—to verify that they are public and were not provided in confidence.</p> <p><b>Ms Leon:</b> If there are any public documents, we will be happy to provide them.</p> <p><b>Senator CAMERON:</b> The answer I got was, 'Yes, there are public documents.'</p> <p><b>Ms Jensen:</b> At minimum, as I noted before, there is a public evaluation. Anything else we will need to take on notice.</p> <p><b>Senator CAMERON:</b> So there are public documents. Could you provide the public documents that you have used, and take on notice, in relation to these other documents that you are checking, even if they are not public documents, whether the Irish department or Irish government would make them available to the Senate?</p> |

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| 13 | 49        | Cameron | Consultation between Department of Employment and the UK's | <p><b>Senator CAMERON:</b> Ms Jensen, the UK has a similar proposition. Have you had discussions with the UK department?</p> <p><b>Ms Jensen:</b> I have not personally had discussions. I would need to take on notice and check with my staff about whether there have been interactions and what they may have been.</p>   |
| 14 | 49        | Cameron | Employment outcomes from Ireland's internship programme    | <p><b>Senator CAMERON:</b> What was the Irish experience in this program again?</p> <p><b>Ms Jensen:</b> The Irish experience was that 61 per cent of participants were in employment five months after completion of the internship program.</p> <p><b>Ms Leon:</b> I do not know what the overall youth unemployment rate was in Ireland at that time and how 61 per cent compares to the rest of their programs, so I do not—</p> <p><b>Senator CAMERON:</b> Can you provide us with the details of that?</p> <p><b>Ms Leon:</b> If we have it, I will. I do not know that I could confidently compare an Irish outcome with an Australian outcome for different programs in different countries at different times.</p>   |
| 15 | 56        | Cameron | Advice to Minister regarding job commitment bonus          | <p><b>Senator CAMERON:</b> Ms Leon, can you provide details in relation to the date that you advised the minister in relation to the job commitment bonus? I would like to know the dates that you provided that advice.</p> <p><b>Ms Leon:</b> Yes.</p> <p><b>Senator CAMERON:</b> Did you provide that advice in a written form or a verbal form?</p> <p><b>Ms Leon:</b> Written.</p> <p><b>Senator CAMERON:</b> Written form? So the dates that that advice was provided—</p> <p><b>Ms Leon:</b> I believe it was written and I believe I will be able to provide a date. I will take on notice what that was.</p>   |
| 16 | 58 and 63 | Cameron | Details of Work for the Dole incident                      | <p><b>Page 41</b></p> <p><b>Senator CAMERON:</b> On notice, can you provide a briefing on the issues, the responses and details of the responses. I would like quite a detailed response from you on that—not just what you have read out but what the processes were, dates and times, when you first became aware of it, who activated what, what was done, any internal correspondence on the issue and any file notes on the issue. You know the process. Could you supply all of them.</p> <p><b>Ms Leon:</b> We will take that on notice.</p> <p><b>Page 45</b></p> <p><b>Senator CAMERON:</b> Okay. Can you then provide me details of all internal correspondence in relation to this incident, all file notes, times and details of telephone conversations in relation to the issue, who telephone conversations went to and the terms of reference for this task force. Do you have the terms of reference with you?</p> <p><b>Ms Leon:</b> I can tackle the terms of reference, but we will have to take the remainder of your questions on notice.</p> |

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| 17 | 59 | Cameron | WHS training at Work for the Dole site        | <p><b>Senator CAMERON:</b> Do you know whether any risk assessment that was done on this site included occupational health and safety training?</p> <p><b>Ms Leon:</b> That will all be provided to us in the report by Ernst &amp; Young.</p> <p><b>Senator CAMERON:</b> So there is no-one in the department who has actually looked at this?</p> <p><b>Ms Leon:</b> We are not going to get out ahead of the investigation and start putting partial thoughts or information in front of the committee. We have properly contracted an independent party to review the risk assessments—</p> <p><b>Senator CAMERON:</b> I do not have to remind you of your responsibilities to the Senate, do I?</p> <p><b>Ms Leon:</b> and I am waiting for their reply.</p> <p><b>Senator Cash:</b> No, Senator Cameron—</p> <p><b>Senator CAMERON:</b> I do not have to remind you of your responsibilities.</p> <p><b>Senator Cash:</b> Chair, I think the secretary is completely aware of her responsibilities.</p> <p><b>Senator CAMERON:</b> Do not sit there and tell us that because you have conducted some inquiry you will not respond to proper questioning from the Senate. Is that what you are telling me?</p> <p><b>Ms Leon:</b> No, Senator. I am saying I do not have the information until the review is conducted.</p> <p><b>Senator CAMERON:</b> Do any of your officers have that information?</p> <p><b>Ms Leon:</b> We will take that on notice.</p> |
| 18 | 63 | Cameron | Date of Work for the Dole inquiry             | <p><b>Senator CAMERON:</b> Mr Hehir, when did you set-up this inquiry?</p> <p><b>Mr Hehir:</b> I would need to check the exact date.</p> <p><b>Mr Parsons:</b> It was the start of this week.</p>  |
| 19 | 65 | Cameron | Details of changes to NEIS funding            | <p><b>Senator CAMERON:</b> Can you then provide me with all details—all internal correspondence, file notes and memorandums—in relation to that 2014-15 budget cut so that I can understand why we were cutting it in '14-15 and why we are increasing it now.</p> <p><b>Ms Leon:</b> I have just answered that question.</p> <p><b>Senator CAMERON:</b> Not to my satisfaction.</p> <p><b>Ms Leon:</b> To the extent that the questions you ask—</p> <p><b>Senator CAMERON:</b> Yes—'to the extent'.</p> <p><b>Ms Leon:</b> are cabinet-in-confidence because they were budget decisions, obviously there will be limitations on what we can provide.</p> <p><b>Senator CAMERON:</b> Well, within those limitations</p>   |
| 20 | 65 | Cameron | Measures of sustainability of NEIS businesses | <p><b>Senator CAMERON:</b> The secretary indicated that the businesses are sustainable after nine months. Can you provide details of how they are sustainable and how that assessment was made?</p> <p><b>Ms Leon:</b> We can take that on notice. Obviously, we had those things available to us when we came here after the 2014 budget, but they are now not material that we have brought with us today.</p>   |

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| 21 | 67 | Cameron | Employment status of Work for the Dole participants            | <p><b>Senator CAMERON:</b> How many are in full-time employment?</p> <p><b>Mr Hehir:</b> I do not have that data in front of me.</p> <p><b>Senator CAMERON:</b> Do you have that figure? Do you monitor that figure?</p> <p><b>Mr Hehir:</b> I would need to check and see what information we record. We will have the record of a job placement and we will have a record of how much the benefit will have been reduced, but I will need to check whether we can access the hours worked. We work on a system of: if the benefit is reduced to an outcomes provider, we focus on that part. I will check to see whether we can access the hours worked.</p> <p><b>Senator CAMERON:</b> Okay, so perhaps you can try to find out and give us some details on how many are in full-time employment and how many are in part-time employment.</p>   |
| 22 | 68 | Cameron | Length of employment following Work for the Dole participation | <p><b>Senator CAMERON:</b> Do you carry any figures, if people go into part-time or full-time employment, how long they stay in that employment?</p> <p><b>Mr Hehir:</b> We do post-program monitoring at particular points. We have also done some evaluation. I would need to check whether that was a broad evaluation or just for the subsidy work.</p> <p><b>Ms Leon:</b> And Senator, did you mean how many people do that after Work for the Dole, or just in general?</p> <p><b>Senator CAMERON:</b> After Work for the Dole.</p> <p><b>Mr Hehir:</b> We do have conversion rates, but they stop at the 26-week mark. We do not track our data beyond that, but I can check to see whether we have done evaluations.</p> <p><b>Senator CAMERON:</b> Yes, and if that is all the evaluations you do, is there any reason it is 26 weeks and then stops, or some value for government to have the analysis of—</p> <p><b>Ms Leon:</b> There are two reasons for it. One is that the administrative data covers the final outcome payment, which is paid at 26 weeks, but that is because our research tells us that if a job has been sustained up to that period then there is a very high likelihood that it will continue to be sustained.</p> <p><b>Senator CAMERON:</b> Perhaps you could take on notice to provide that detail to me.</p> <p><b>Mr Hehir:</b> Yes.</p> <p><b>Senator CAMERON:</b> And could you also on notice provide a reasoning for why you cannot go past 26 weeks and if going past 26 weeks would provide some useful statistical analysis?</p> <p><b>Mr Hehir:</b> We can have a look at that.</p> |

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| 23 | 71 | Cameron | Copy of correspondence                 | <p><b>Senator CAMERON:</b> Ms Leon, has the department been in touch with the family of this young worker who was killed?</p> <p><b>Ms Leon:</b> I understand that the department has written to the mother.</p> <p><b>Senator CAMERON:</b> Did anyone try to ring the mother or contact the mother to see whether she needed any help or any support?</p> <p><b>Ms Leon:</b> I think that was the terms of the letter, but we chose not to ring the mother at this difficult time.</p> <p><b>Senator CAMERON:</b> It has been some time now since this terrible incident. Has anyone thought about making some contact now?</p> <p><b>Ms Leon:</b> I believe the department has written to her.</p> <p><b>Senator CAMERON:</b> Can you provide a copy of that correspondence?</p> <p><b>Ms Leon:</b> I will see whether we can get it for you.</p>   |
| 24 | 77 | Cameron | Per centage wage subsidy pool expended | <p><b>Senator CAMERON:</b> What percentage of that over the forward estimates has been expended? Does anyone know?</p> <p><b>Ms Leon:</b> I do not know. We would have to get our calculators out.</p> <p><b>Senator CAMERON:</b> If somebody could do the calculation for me, that would be good.</p>  |
| 25 | 81 | Cameron | Refusal of wage subsidy applications   | <p><b>Senator CAMERON:</b> How many employers have been refused a wage subsidy because they do not comply with the existing requirements?</p> <p><b>Ms Leon:</b> I do not have that information here. I am not sure that we do have it. I will find out what we do have and take that on notice, if that is alright?</p> <p><b>Senator CAMERON:</b> So you cannot tell if an application has been made and rejected?</p> <p><b>Mr Hehir:</b> The application is not made to us. The application is made to the jobactive provider.</p> <p><b>Senator CAMERON:</b> They do not provide you that information?</p> <p><b>Mr Hehir:</b> They would not necessarily tell us that someone had asked for a wage subsidy outside of the period. They would normally follow the guidelines which say that it needs to be kept within the period.</p> <p><b>Ms Leon:</b> We will see what information we do have.</p> |

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| 26 | 82 | Cameron  | Methodology used for decision to increase wage subsidy | <p><b>Senator CAMERON:</b> Minister, what led to the decision to increase them from \$6½ thousand to \$10,000?</p> <p><b>Ms Leon:</b> I could probably answer that for you: it was departmental research. We conduct surveys of employers on a range of matters, and the feedback that we have from research with employers was that they expressed some reluctance, as I think we have been canvassing, to hire inexperienced young people. That reluctance was more considerably alleviated at the \$10,000 mark, especially for job seekers who were relatively disadvantaged, as our Stream B and C are. It was surveys of employers, plus drawing on the international experience, about the level that subsidies had been successful in comparable countries.</p> <p><b>Senator CAMERON:</b> Can you provide me of details of the methodology that was used to come to this conclusion?</p> <p><b>Ms Leon:</b> Yes, Senator.</p> |
| 27 | 88 | Cameron  | Correspondence from the Member for Herbert             | <p><b>Senator CAMERON:</b> Minister Cash, did you receive any direct correspondence?</p> <p><b>Senator Cash:</b> The member for Herbert, Ewen Jones, absolutely advocated on behalf of the Queensland Nickel workers.</p> <p><b>Senator CAMERON:</b> Did you receive any correspondence? Did he write to you?</p> <p><b>Senator Cash:</b> I will need to check whether it was actual correspondence, but certainly he will pick up the phone and talk to me, as I would expect him to.</p>   |
| 28 | 90 | Reynolds | Queensland Nickel special purpose liquidators          | <p><b>Senator REYNOLDS:</b> Will the special purpose liquidator have the effect of changing the priority of creditors should moneys be realised in the liquidation process? Can they move it around?</p> <p><b>Ms D Mitchell:</b> We would have to take that one on notice.</p> <p><b>Senator REYNOLDS:</b> That is fine. It is not an issue for now, but it is obviously a relevant issue as we move forward.</p>   |
| 29 | 91 | Lines    | Queensland Nickel's records                            | <p><b>Senator LINES:</b> No; I am talking about Queensland Nickel's records, because you have to verify the claims.</p> <p><b>Ms D Mitchell:</b> That is correct.</p> <p><b>Senator LINES:</b> Do you have the hours worked, the annual leave paid?</p> <p><b>Ms D Mitchell:</b> We do.</p> <p><b>Senator LINES:</b> Are they in reasonable condition or are they in good condition?</p> <p><b>Ms Parker:</b> They are in condition enough for us to be able to assess and make payments.</p> <p><b>Senator LINES:</b> And superannuation records?</p> <p><b>Ms Parker:</b> I do not think there is anything specific that anyone has said is missing. We can take that on notice, if you like, Senator, but we are pretty comfortable.</p>  |

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| 30 | 99  | Williams | RSRT - subpoena of witnesses          | <p><b>Senator WILLIAMS:</b> Yes. Is it normal for the tribunal to subpoena witnesses directly?</p> <p><b>Ms O'Neill:</b> Again, my view is no more relevant or of value than any other individual off the street because it is not part of my function to have such a view.</p> <p><b>Senator WILLIAMS:</b> Perhaps you might take that on notice and do some research and report back to the next parliament. Would you be able to do that?</p> <p><b>Ms O'Neill:</b> I can, but I was just going to say it is certainly not unusual, in my experience of tribunals and certainly the Fair Work Commission, for individuals to be summonsed to appear and give evidence.</p>   |
| 31 | 100 | Williams | RSRT - information given to witnesses | <p><b>Senator WILLIAMS:</b> Did the tribunal take any steps to inform those witnesses of their right to seek to be represented? When witnesses wanted to be represented, did the tribunal inform those witnesses of that?</p> <p><b>Ms O'Neill:</b> I would have to take that on notice.</p> <p><b>Senator WILLIAMS:</b> I understand some witnesses were told that if they did not attend the tribunal in person that they would face six months imprisonment, while their submission on the matter would be withdrawn. Was that a typical approach adopted by the tribunal when dealing with self-represented witnesses?</p> <p><b>Senator CAMERON:</b> Ha, ha. That is a bit—</p> <p><b>Senator WILLIAMS:</b> It is not a laughing matter, Senator Cameron.</p> <p><b>Senator CAMERON:</b> It is a laughing matter—</p> <p><b>Senator WILLIAMS:</b> No, it is not.</p> <p><b>Senator CAMERON:</b> because they do the same thing with the fair work and building commission.</p> <p><b>Senator WILLIAMS:</b> I will repeat the question, Ms O'Neill: I understand some witnesses were told that if they did not attend the tribunal in person that they would face six months imprisonment—we will just take that part of the question; are you aware that they could have faced six months in prison if they did not attend the tribunal?—or their submissions would be withdrawn.</p> <p><b>Ms O'Neill:</b> I would have to take on notice, I am afraid.</p> |

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| 32 | 101 | Williams | RSRT - Options given for witnesses to attend hearing | <p><b>Senator WILLIAMS:</b> I am going to make another point here. I am aware of the case of Alina Hawkins. Ms Hawkins was one of the witnesses, I understand, who was subpoenaed by the tribunal to give evidence. Ms Hawkins has a baby, and I understand that Ms Hawkins raised the fact that she had a baby that she needed to care for when she was subpoenaed. What arrangements were made for Ms Hawkins either not to attend the tribunal in person or to be able to breastfeed her child while at the tribunal? Are you familiar with the witness?</p> <p><b>Ms O'Neill:</b> I am not, so I would have to take the detail on notice. But, as Ms Clarke indicated, our understanding is that witnesses were given the opportunity to give their evidence by way of phone rather than travelling to attend.</p> <p><b>Senator WILLIAMS:</b> Let me take you to that point, Ms O'Neill. Is it normal practice for the tribunal to require breastfeeding mothers to travel to the tribunal in person to give evidence?</p> <p><b>Ms O'Neill:</b> As I have indicated, our understanding is that witnesses were not required to attend. They were given the opportunity to give evidence in other forms. But in terms of any particular case, I do not have that information and I would have to take that on notice.</p> <p><b>Senator WILLIAMS:</b> Please do, because I would like to quote from an email Ms Hawkins received on 24 March 2016. After dealing with the notice to appear, the email concludes by saying: You should be aware that it is an offence under section 89 of the Road Safety Remuneration Act to fail to attend at the Road Safety Remuneration Tribunal in accordance with an order requiring a person to attend. The penalty for such an offence is imprisonment for six months. Would you agree with that? That would not be false? You might check that out.</p> <p><b>Ms O'Neill:</b> No, I would not agree with that. If you wish to provide those details, I can assist in following up the—</p> <p><b>Senator WILLIAMS:</b> The point I make is this: it disgusts me to think that for a young, breastfeeding mum they used the heavy-handed tactic of, 'You'll show up or we'll lock you up for six months.' I just think that those are bully tactics, but we will move on.</p> <p>I understand that the tribunal heard evidence on the first sitting day, the Saturday, from those witnesses who chose to give evidence over the phone. Was this option offered to all witnesses?</p> <p><b>Ms O'Neill:</b> I am sorry, I am not trying to be unhelpful, but these were all decisions of the tribunal and not administrative staff or—clearly—myself. And so—</p> <p><b>Senator WILLIAMS:</b> Fine, I can understand that; you were not sitting on the tribunal. But will you take it on</p> |
| 33 | 103 | Williams | RSRT - Rights of witnesses giving evidence           | <p><b>Senator WILLIAMS:</b> ..... I understand that a number of owner-drivers were asked to give evidence about their commercial arrangements. What steps did the tribunal take to inform these witnesses of their right to seek to have this evidence given in confidentiality, given that their competitors, including Toll and Linfox, were present in the courtroom? Do you understand what I mean by that? They were told to give their commercial information, yet their competitors Linfox and Toll—big trucking companies in Australia—were actually present in the courtroom.</p> <p><b>Ms O'Neill:</b> Yes. Again, I will have to take that on notice.</p>  |

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| 34 | 103 | Williams | RSRT - Video conferencing arrangements at hearing        | <p><b>Senator WILLIAMS:</b> Right. What options were given for establishing video links in regional cities, given that many of those submitters do not live in capital cities?</p> <p><b>Ms O'Neill:</b> I will take it on notice. All of the videoconferencing arrangements were held in our offices, which are only in capital cities. We would not have been able to offer videoconferencing arrangements in the usual way outside of capital cities.</p> <p><b>Senator WILLIAMS:</b> Were the witnesses who gave evidence by phone advised by the tribunal before answering questions that their evidence would be broadcast across capital city registries and recorded?</p> <p><b>Ms O'Neill:</b> I would have to take that on notice.</p> <p><b>Senator WILLIAMS:</b> Please do.</p> |
| 35 | 103 | Williams | RSRT - Procedural fairness                               | <p><b>Senator WILLIAMS:</b> ..... Do you consider the tribunal accorded owner-drivers procedural fairness over the course of the hearing of AIG, ACCI and NatRoad's application to delay the commencement of the payments order?</p> <p><b>Ms O'Neill:</b> Senator, that is essentially asking for legal advice, and I am not in a position to give such advice.</p> <p><b>Senator WILLIAMS:</b> You might be able to find something out for me.</p>  |
| 36 | 103 | Williams | RSRT - Number of submissions made                        | <p><b>Senator WILLIAMS:</b> ..... It has been reported that around 800 owner-driver businesses made submissions to this proceeding. Can you find out how many made submissions? Do we know that, Ms Clarke?</p> <p><b>Ms Clarke:</b> The exact number we will have to take on notice. It was in the vicinity of—</p> <p><b>Senator WILLIAMS:</b> I have said 'around 800'. You might be able to take that on notice and let us know</p>   |
| 37 | 106 | Williams | RSRT - Representation and background of tribunal members | <p><b>Senator WILLIAMS:</b> Of the eight, how many were from the transport industry?</p> <p><b>Ms O'Neill:</b> I actually do not have that with me, but I can review the appointments of the industry members. The criteria for appointment under the scheme was essentially their expertise in the area.</p> <p><b>Senator WILLIAMS:</b> Okay. I want you to take two questions on notice for me. One is on expertise in that area: how many of those tribunal members represented owner-driver truckies? The other is: of the eight people on that tribunal, how many had a union background?</p> <p><b>Ms O'Neill:</b> Certainly.</p>  |
| 38 | 107 | Williams | RSRT - Contracted services                               | <p><b>Senator WILLIAMS:</b> ..... Could you please provide a list of any contracted services entered into that exceed \$2,000, excluding GST. Could you please explain how those goods and services deliver on the stated legislative objectives of the RSRT. That is it from me, Chair.</p>  |
| 39 | 109 | McKenzie | Union restrictions on legal representation               | <p><b>CHAIR:</b> I understand other unions have similar restrictions on legal representation in their rules. Which unions have that restriction?</p> <p><b>Mr Enright:</b> I would have to take that on notice.</p>   |

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| 40 | 116 | Reynolds | Budget   | <p><b>Senator REYNOLDS:</b> I understand that you have an underspend of some \$3.4 million. I am just wondering if you have plans to spend that and, if so, on what?</p> <p><b>Mr Tighe:</b> Thankfully, in the budget announcement of early this week, the money that we had been discussing with the senator—and we are thankful for the Commonwealth support and Senator Cash's support—has now been made available for the next two operational years of the agency. If you would like me to take you through the things that we think that money should be earmarked for, I am happy to do that.</p> <p><b>Senator REYNOLDS:</b> I am happy for you to table it, if you would like, or provide it on notice.</p> <p><b>Mr Tighe:</b> Yes, I can give it to you on notice, or I can give you a precis of it now if you wish.</p> <p><b>Senator REYNOLDS:</b> Probably not a precis, given the time. I would be happy if you would like to table it for</p> |
| 41 | 117 | Cameron  | Review of Asbestos Safety and Eradication Agency | <p><b>Senator CAMERON:</b> But who is carrying out the work for the consultancy?</p> <p><b>Ms Parker:</b> You mean their names?</p> <p><b>Senator CAMERON:</b> Yes. Who is carrying it out and what are their qualifications?</p> <p><b>Ms Parker:</b> I will take it on notice for the moment and try to get that information for you.</p> <p><b>Senator CAMERON:</b> And you can provide the terms of reference—</p> <p><b>Ms Parker:</b> Sorry, the reason I do not have it is that it has not started, so I was not prepared. But we can try and get that.</p>   |
| 42 | 122 | Cameron  | Building and construction industry issues        | <p><b>Senator CAMERON:</b> Can you provide me with details of the type of referrals, the number of referrals and the amount of time your officers have been engaged in dealing with building and construction industry issues.</p> <p><b>Ms James:</b> I am happy to take that on notice.</p>  |
| 43 | 122 | Cameron  | Court matters involving labour hire companies    | <p><b>Senator CAMERON:</b> What proportion of the matters you bring before a court involve labour hire companies?</p> <p><b>Ms James:</b> I would have to take that on notice.</p>   |
| 44 | 122 | Cameron  | Young Workers' Team                              | <p><b>Senator CAMERON:</b> How many people are in your Young Workers' Team?</p> <p><b>Ms James:</b> I know you are in a hurry, so if you do not mind, I will take that on notice, because I think I have figures about complaints and the like but not about actual staff in that team.</p> <p><b>Senator CAMERON:</b> Really? Does anyone know?</p> <p><b>Ms James:</b> I do not think we have that with us.</p> <p><b>Senator CAMERON:</b> Where are your Young Workers' teams based?</p> <p><b>Ms James:</b> All our compliance teams are distributed throughout the country. We would have members of the Young Workers' teams in Melbourne, Sydney and a number of other metropolitan and perhaps even regional offices.</p> <p><b>Senator CAMERON:</b> Can you provide on notice what they actually do?</p>  |

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| 45 | 124 | Cameron | Discussions with MEAA                          | <p><b>Senator CAMERON:</b> On the issue of the Fairfax journalists: did you seek to have any dispute resolution in relation to the Fairfax matter before you litigated?</p> <p><b>Ms James:</b> We are certainly not litigating that matter. That is a matter that is currently under investigation, so it is not with Ms Webster. I might ask Mr Ronson, who oversees our dispute resolution processes, to come to the table. That is a matter that is currently under investigation. We do investigate matters of unlawful industrial action and we have a number of matters that we have put into court in the past.</p> <p><b>Senator CAMERON:</b> Have you had discussions with the MEAA in relation to this matter?</p> <p><b>Mr Ronson:</b> My understanding is that they are in the scope of the inquiry, but I will have to take on notice what discussion we have had to date.</p> <p><b>Senator CAMERON:</b> Have you had any discussions with them?</p> <p><b>Mr Ronson:</b> I am confident that we have, but I would like to take it on notice to be sure.</p> |
| 46 | 125 | Cameron | Cost of investigation                          | <p><b>Senator CAMERON:</b> So you have some unprotected industrial action and you have workers out there being ripped off mercilessly in industries all around this country: how much are you going to spend on this? How much have you spent so far?</p> <p><b>Mr Ronson:</b> I will have to take the cost of this investigation on notice. But this is one of many investigations that our team, which is responsible for industrial action, has conducted over the last six years.</p>   |
| 47 | 126 | Cameron | Discussions with union regarding investigation | <p><b>Senator CAMERON:</b> Okay. What discussions have you had with the union on this?</p> <p><b>Mr Ronson:</b> I need to take that on notice.</p>  |
| 48 | 129 | O'Neill | Update on 7-Eleven                             | <p><b>Senator O'NEILL:</b> I have a question for the Fair Work Ombudsman on notice. I would like an update on 7-Eleven. I do not need an answer now. You can take it on notice and provide an update.</p> <p><b>Ms James:</b> We did cover it really briefly before you came into the room. We are happy to provide you with more on notice.</p>  |