



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEES

## **BUDGET ESTIMATES 2023-2024**

### **Supplementary questions**

Portfolio Committee No. 1 – Premier and Finance

**Industrial Relations, Work Health and Safety  
(Cotsis)**

Hearing: Thursday 29 February 2024

**Answers due by:** Wednesday 27 March 2024

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**BUDGET ESTIMATES 2023-2024**  
**SUPPLEMENTARY QUESTIONS**

**Questions from Hon Chris Rath MLC** (*on behalf of the Opposition*)

**INDUSTRIAL RELATIONS**

**Industrial Relations Court**

- (1) What is the total cost of establishing and staffing the Industrial Relations Court?
- (2) Where will the Industrial Relations Court be located?

**Unattached List**

- (3) Is there an unattached list for public servants?
- (4) Will the government rule out any unattached list for public servants?

**Industrial Dispute**

- (5) Is a 'no ticket, no start' policy a breach of the freedom of association principles under s 336 of the *Fair Work Act 2009*?
- (6) Are you aware of any reports that the CFMEU are enforcing a 'no ticket, no start' approach on construction sites in NSW?
- (7) Does the government have any concerns about the CFMEU's efforts to enforce a 'no ticket, no start' approach on construction sites in NSW?

**Industrial Relations Taskforce Report**

- (8) When did the Industrial Relations Taskforce complete its report?
- (9) Of the \$176,000 cost of the Taskforce, how much was paid to Ms Anna Booth?
- (10) What was the basis on which Ms Booth was paid? Was it an hourly rate or an overall fee for her role as a co-reviewer?
- (11) Did Ms Booth do any work on the review after 1 September 2023?
  - (a) If so was Ms Booth paid for this work?
- (12) Did the review make any recommendations regarding the provision of mutual gains bargaining to agencies and unions?

- (a) If so, what were those recommendations?

**Mutual gains bargaining training**

- (13) Which agencies have participated in mutual gains bargaining training so far?
- (14) Which unions have participated in mutual gains bargaining training so far?
- (15) In regard to the \$69,850 paid to the Resolution Institute and CoSolve Pty Ltd for the first five training sessions in mutual gains bargaining:
  - (a) How much was paid to the Resolution Institute and what were the services provided by the Resolution Institute?
  - (b) How much was paid to CoSolve Pty Ltd and what were the services provided by CoSolve Pty Ltd?
  - (c) How many hours did each of the five training sessions take?
  - (d) How many further sessions in mutual gains bargaining have the Resolution Institute and CoSolve Pty Ltd been contracted to deliver?
  - (e) How many training sessions in mutual gains bargaining are expected to be conducted in total?
  - (f) What is the total anticipated expenditure on mutual gains bargaining:
    - i. FY 2023-24?
    - ii. FY 2024-25?
  - (g) When CoSolve Pty Ltd was given a contract to deliver mutual gains bargaining training was any consideration given to the fact that Ms Anna Booth had been a one third owner and a director of CoSolve Pty Ltd as recently as 31 August 2023, at the same time as she was contracted to work on the Industrial Relations Taskforce?
    - i. If not, why not?
  - (h) When the Resolution Institute was given a contract to deliver mutual gains bargaining training was any consideration given to the fact that Ms Anna Booth is a Fellow member of the Institute?
    - i. If not, why not?

## **WORK HEALTH & SAFETY**

### **SafeWork NSW – Review**

- (16) In light of the McDougall Review findings, does Safework have enough inspectors or resources to effectively do its job?
- (17) What extra resources and funding will be allocated to implement the review's recommendations?
- (18) What does the government envisage a standalone regulator looks like?

### **Silicosis**

- (19) What is the timeline to introducing a licencing scheme and register for at-risk sites?
  - (a) Which industries will be captured?
  - (b) What is the scope of the register and licensing scheme?
  - (c) How will privacy be protected and 'mission creep' avoided?

### **Engineered stone prohibition**

- (20) Is the prohibition on engineered stone still intended for July 1, 2024?
- (21) Does SafeWork NSW support the exemptions listed in the Work Health and Safety and Workplace Relations Ministers' Meeting 13 December 2023 communique?
  - (a) What advice has SafeWork NSW provided in relation to the definition of engineered stone for the purposes of the prohibition?
  - (b) Are porcelain products captured in this recommended definition?
  - (c) Will this be the position the Minister takes to the upcoming Work Health and Safety and Workplace Relations Ministers' Meeting on 15 March 2024?
- (22) What information and support has been provided to the engineered stone industry and workers since the bans announcement?
- (23) When will the transition package and arrangements for the ban be announced?
  - (a) Is reskilling and retooling assistance been considered as part of that package?
  - (b) How are small businesses and workers being supported to pivot to other products or industries?

- (24) Will stone businesses will be left with unsellable stock after the ban is in effect?
- (a) Is a buyback being considered?
  - (b) Will financial and logistical assistance be given to dispose of stock?
- (25) Will there be a licencing scheme to regulate the renovation or disposal of legacy installed stone products?
- (26) Have suppliers had sufficient time to develop, import or produce alternatives?
- (a) Will there be an impact on the building industry with new builds or renovations delayed?
  - (b) What modelling or analysis has been prepared by the Minister's department regarding the supply side impact of the engineered stone prohibition and any other affected products?
- (27) Has the Premier or the Minister for Housing or Planning's offices expressed any concern to the Minister's or her office on the supply side impact of the prohibition on the Premier's target to build an extra 200,000 new homes?
- (28) Did SafeWork NSW support a 40% silica level in its submission to the SafeWork Australia consultation process?
- (a) If yes, what was the rationale for supporting a 40% silica level?
  - (b) Did the Minister or her office review the submission before it was lodged with Safe Work Australia?
  - (c) What was the rationale for pursuing a full ban instead of a 40% silica threshold?

### **Gig worker safety**

- (29) What is the timeline of delivery to provide workers compensation benefits to gig platform workers?

<b>Questions from Ms Abigail Boyd MLC</b>
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- (30) How many nurses are currently away from work under the workers' compensation scheme?
- (a) How many on a physical injury claim?
    - i. For 2 weeks or longer
    - ii. For 4 weeks or longer

- iii. For 2 months or longer
- iv. For 3 months or longer
- v. For 6 months or longer
- vi. For 12 months or longer

(b) How many on a psychological injury claim?

- i. For 2 weeks or longer
- ii. For 4 weeks or longer
- iii. For 2 months or longer
- iv. For 3 months or longer
- v. For 6 months or longer
- vi. For 12 months or longer

(31) How many midwives are currently away from work under the workers' compensation scheme?

(a) How many on a physical injury claim?

- i. For 2 weeks or longer
- ii. For 4 weeks or longer
- iii. For 2 months or longer
- iv. For 3 months or longer
- v. For 6 months or longer
- vi. For 12 months or longer

(b) How many on a psychological injury claim?

- i. For 2 weeks or longer
- ii. For 4 weeks or longer
- iii. For 2 months or longer
- iv. For 3 months or longer
- v. For 6 months or longer
- vi. For 12 months or longer

(32) How many doctors are currently away from work under the workers' compensation scheme?

(a) How many on a physical injury claim?

- i. For 2 weeks or longer
- ii. For 4 weeks or longer
- iii. For 2 months or longer
- iv. For 3 months or longer
- v. For 6 months or longer
- vi. For 12 months or longer

(b) How many on a psychological injury claim?

- i. For 2 weeks or longer
- ii. For 4 weeks or longer
- iii. For 2 months or longer
- iv. For 3 months or longer
- v. For 6 months or longer
- vi. For 12 months or longer

(33) How many firefighters are currently away from work under the workers' compensation scheme?

(a) How many on a physical injury claim?

- i. For 2 weeks or longer
- ii. For 4 weeks or longer
- iii. For 2 months or longer
- iv. For 3 months or longer
- v. For 6 months or longer
- vi. For 12 months or longer

(b) How many on a psychological injury claim?

- i. For 2 weeks or longer
- ii. For 4 weeks or longer

- iii. For 2 months or longer
- iv. For 3 months or longer
- v. For 6 months or longer
- vi. For 12 months or longer

(34) How many police officers are currently away from work under the workers' compensation scheme?

(a) How many on a physical injury claim?

- i. For 2 weeks or longer
- ii. For 4 weeks or longer
- iii. For 2 months or longer
- iv. For 3 months or longer
- v. For 6 months or longer
- vi. For 12 months or longer

(b) How many on a psychological injury claim?

- i. For 2 weeks or longer
- ii. For 4 weeks or longer
- iii. For 2 months or longer
- iv. For 3 months or longer
- v. For 6 months or longer
- vi. For 12 months or longer

(35) How many teachers are currently away from work under the workers' compensation scheme?

(a) How many on a physical injury claim?

- i. For 2 weeks or longer
- ii. For 4 weeks or longer
- iii. For 2 months or longer
- iv. For 3 months or longer



- v. For 6 months or longer
  - vi. For 12 months or longer
- (b) How many on a psychological injury claim?
- i. For 2 weeks or longer
  - ii. For 4 weeks or longer
  - iii. For 2 months or longer
  - iv. For 3 months or longer
  - v. For 6 months or longer
  - vi. For 12 months or longer
- (36) How many TAFE teachers are currently away from work under the workers' compensation scheme?
- (a) How many on a physical injury claim?
- i. For 2 weeks or longer
  - ii. For 4 weeks or longer
  - iii. For 2 months or longer
  - iv. For 3 months or longer
  - v. For 6 months or longer
  - vi. For 12 months or longer
- (b) How many on a psychological injury claim?
- i. For 2 weeks or longer
  - ii. For 4 weeks or longer
  - iii. For 2 months or longer
  - iv. For 3 months or longer
  - v. For 6 months or longer
  - vi. For 12 months or longer

- (37) How much money have the Departments and agencies under your control spent on products purchased from Hewlett Packard (inclusive of HP Enterprise businesses, HP end-user businesses, and any other businesses representing the Hewlett Packard brand) (HP):
- (a) Please provide this information for each financial year since 2018/19 including 2023/24 to 31 December 2023, divided by agency, and include a short description of the kinds of products purchased for each agency each year, including whether any money has been spent since 7 October 2023.
- (38) What policies and procedures are used to ensure that procurement is ethical and meets community standards?
- (39) If products are procured from Hewlett Packard (meaning any business representing the Hewlett Packard brand), what probity checks have been done to investigate whether HP is involved in the 'plausible genocide' taking place in Gaza?
- (40) In the past three years, iCare have dealt with 60 claims from the RFS with 22 which have resulted in confidential settlements.
- (a) How many of these are related to bullying and/or harassment?
- (41) In relation to a complaint made by Inspector Colin Fraser on 12/1/2021 how much money was spent by Department of Customer Service and SafeWork NSW on external contractors dealing with the complaint and matters flowing from it?
- (42) In relation to a complaint made by another inspector on 17 March 2020 for which the inspector was interviewed on 21st April 2020, how much money had that complainant's supervisor authorised for his team to stay at The Crowne Plaza Terrigal Pacific Hotel on 12 March 2019 for a meeting of which not all members of his team were informed ?
- (43) NSW firefighters are seeking to add numerous additional cancers to their presumptive cancer legislation to ensure coverage equal to firefighters interstate and overseas.
- (a) What is the status of this matter?
- (b) Specifically, what has been done to progress this matter?
- (c) Are there any concerns emerging out of the research that informs the need to improve the legislation for our front line firefighters?