

(1) What are the most common risks that cleaners face when maintaining public toilets?

The risks faced by cleaners can be understood as fitting into three categories.

Physical risks such as trip hazards from wet floors and rubbish, handling sharps, overuse and equipment related injuries.

Exposure risks which include chemicals like bleach (which is exacerbated when used in confined and poorly ventilated spaces) as well as biological matter including faeces, urine and blood.

And the **risks related to interactions with public** which include physical and sexual assault, arguments and verbal altercations, mental stress and trauma. These risks are made more likely and worse by the confined and isolated nature of cleaning in toilets, being required to clean while toilets are in use and not cordoned off, interactions with users effected by drugs and alcohol (particularly in sites such as hospitality and entertainment venues, stadiums and airports) and being the first on scene to respond to overdoses, self-harm and individuals in acute psychical and mental distress.

(2) How do current contracting models impact cleaners' ability to work safely and fairly?

Competitive contracting often leads to companies seeking to win work by submitting the lowest bid possible then looking to extract a profit from the awarded contract price by reducing labour costs and minimising the provision of services and other expenses. What this looks like in practice is exploitative and non-compliant work arrangements such as sub-contracting, sham-subcontracting, cash payments and other informal work arrangements, and the abuse of visa holders and other vulnerable workers. It also manifests in excessive workloads and unreasonable time allocation to jobs such as toilet cleaning, the undersupply of cleaning chemicals, equipment (or the failure to adequately replace and repair) and bathrooms supplies.

The combination of these factors makes the risks faced by cleaners particularly acute. Workers employed in precarious and insecure arrangements face significant challenges in raising WHS issues and having them addressed due to the difficulty in forming effective WHS committees, feeling disempowered and at risk to speak out, a lack understanding of workplace rights, and the intentional obfuscation of accountability within the contracting/employment chain.

The period leading up to contract awards and change overs is particularly fraught for cleaners. Prior to new contract awards, incumbent contractors can place excessive pressure on cleaners to work harder to make their areas look immaculate in order to win the contract. If awarded to a new company, incumbents will often remove resources and materials and begin to understaff shifts in order to extract as much money from the remaining term. In addition, cleaners face the threat of losing their jobs at contract change over, as the incoming contractor has no legal obligation to keep an existing cleaner.

We refer the committee to the recommendations made in our submission regarding the capacity of the state government to improve employment standards for cleaners through its procurement practices including when it receives cleaning services as a building tenant.

(3) What difference would insourcing make for both workers and the cleanliness of public toilets?

The United Workers Union is advocating for the insourcing of the cleaning work currently performed under the whole of government cleaning contracts. These contracts, worth \$542 Million in 2025, employ an estimated 6000-7000 cleaners across NSW. The work performed by cleaners under these

contracts includes the cleaning of toilets in NSW public schools, TAFEs, government office buildings, police stations, court houses, electorate offices and other locations.

Direct employment would create secure employment and eliminate the use of precarious work arrangements that plague the sector and are prevalent within the contracts. This can have a profound impact on workers both on the job and in their personal lives. On the job, direct employment would better enable the formation of effective WHS committees with trained and empowered worker representatives. Off the job, direct employment can help to address the financial insecurity caused by the precarious employment practices that are endemic in the contract cleaning industry. When workers are employed informally, have inconsistent hours and pay, and have no security of employment beyond a contract expiration date, it can impact their ability to apply for loans and rental properties, and generally to plan for the future.

Direct employment would also enable more effective consultative arrangements between the employer and the union representing the workforce on issues such as rostering, time and task allocation, safety and changes to the cleaning needs and physical designs of bathrooms in schools and other government buildings. Consultation is made ineffective under the current arrangements due to the fragmented nature of the contracts (9 contracts held by 5 companies) and the separation between the employing entity and the public agencies that are the recipients of services. Direct employment would enable public agencies, such as Education, and the union to consult directly on the workforce and cleaning implications on any new school builds and changes to toilet cleaning needs and preferences. Enabling this direct dialogue will help to improve toilet cleaning standards in public facilities.

(4) Can you speak to the emotional or mental toll cleaners experience when exposed to high-risk environments?

Cleaners are often expected to do more work than the time allocated allows them to do safely. This is particularly hard on toilet cleaners who are expected to clean toilets immaculately and keep them stocked with paper, soap and other items, while operating in areas prone to slips and other hazards *and* competing with the public for access to facilities.

Cleaners face getting a warning or terminated if they cannot find a way to do their job when it is impossible or dangerous to access toilets because they are being used. Bathrooms and toilets are inspected periodically (weekly in most cases) which create an added stress for cleaners and often results in cleaners putting in more work the night/day before an inspection.

(5) Are toilet-specific allowances consistently paid to your members, and if not, why?

No. The Cleaning Services Award contains a modest toilet cleaning allowance of \$3.41 per shift or \$16.76 per week.

The award states that the allowance must be paid to an *“employee who is employed for the major portion of any day or shift to clean toilets...”*.

The union often deals with employers who make every effort to avoid paying it by taking the view that “major” must constitute a majority of a shift and that a toilet is only the bowl.

In our view the award term should, in the least, be interpreted such that cleaners are paid the allowance when cleaning toilets constitutes the primary task on a shift, even if it does not account for the majority of their time.

We believe this is merit in employers implementing a more equitable threshold to the payment of the allowance. If a toilet is dirty, or there is a spill or other unsafe conditions, cleaners will be expected to clean it immediately. There is generally no time to report it so that the job can be performed by someone receiving the allowance.

As noted in our submission, employment and contracting arrangements that support enterprise bargaining and other collectively negotiated employment instruments, allow for toilet cleaning specific clause to be reached to help ensure the difficult and dangerous work of cleaning toilets is done safely and cleaners are adequately compensated.