

BUILDING INDUSTRY SPECIAL PROJECTS INSPECTORATE, BUILDING SITE ENTRY PERMITS FOR
UNION REPRESENTATIVES

2722. Mrs C.L. Edwardes to the Minister for Consumer and Employment Protection

I refer the Minister to the Building Industry Special Projects Inspectorate (BISPI) and the issuing and revocation of 'entry permits' for union representatives to building sites and ask -

- (a) who is responsible for the investigation of complaints against 'entry permit' holders by representatives of building companies;
- (b) how many inquiries have been made into the procedure to make complaints against 'entry permit' holders;
- (c) how many complaints have been made against 'entry permit' holders;
- (d) how many of these complaints have been investigated;
- (e) how many investigations have resulted in the suspension, cancellation or withdrawal of entry permits; and
- (f) what are the names of the permit holders that have had their entry permits suspended, cancelled or withdrawn and the unions each permit holder represents?

Mr J.C. KOBELKE replied:

- (a) Section 49J(5) of the Industrial Relations Act 1979 has provisions for any person to make application to the Western Australian Industrial Relations Commission (WAIRC) to seek revocation or suspension of union representatives right of entry authorities. Consequently it is open to individuals, employers and employer associations to investigate and refer such matters to the WAIRC.

Complaints may also be lodged with the Building Industry and Special Projects Inspectorate (BISPI) concerning the conduct of union representatives whilst exercising right of entry. These complaints will be investigated and prosecuted where appropriate.

- (b) Specific statistics are not maintained by BISPI on inquiries into the procedure to make complaints against 'entry permit' holders. In general terms, BISPI has provided information on complaint lodging procedures on two separate occasions to Master Builders Association members and on an ongoing basis to employers and employees during site visits.
- (c) Between 30 August 2002 and 26 March 2004, BISPI has received forty complaints against authorised union representatives.
- (d) BISPI has investigated all the complaints received.
- (e) BISPI has made application to the WAIRC for the suspension/revocation of two authorised union representatives right of entry authorities. The matters are currently before the WAIRC.
- (f) No permit holder has yet had their entry permit suspended/revoked through actions by BISPI.

For the names of all permit holders that have their entry permits suspended, cancelled or withdrawn by the WAIRC and the unions each permit holder represents see the response to Question on Notice 2721 (c) and (d) from the Department of the Registrar of the WAIRC.

This response indicates that of the applications lodged with the WAIRC:

- (i) seeking revocation or suspension of right of entry permits under section 49J(5), none have been revoked, 3 were dismissed and 6 are in progress; and
- (ii) seeking revocation at the request of the organisation secretary under section 49J(6), 27 authorities have been revoked. The list of names, and the unions they formerly represented, is at Schedule B of Question 2721.