

BUILDING INSPECTORATE AND SPECIAL PROJECT INSPECTORATE, INVESTIGATIONS

1756. Hon. C.L. Edwardes to the Minister for Consumer and Employment Protection

I refer to the activities of the Building Inspectorate and Special Project Inspectorate and ask -

- (a) how many investigations have been carried out in the financial year ending 30 June 2002;
- (b) what have been the outcomes;
- (c) have there been any prosecutions;
- (d) if so, against whom and what have been the outcomes;
- (e) are there any outstanding complaints or investigations;
- (f) if so, how many and what is the cause of the delays;
- (g) have there been any instances of 'regular' site visits;
- (h) if so, where, when and with who did the site visits occur and what was the outcome;
- (i) have any time and wages record inspections been carried out;
- (j) if so, where, when and with whom did these inspections take place and what were the outcomes; and
- (k) what other activities has the Building Inspectorate and Special Project Inspectorate carried out in the financial year ending 30 June 2002?

Mr KOBELKE replied:

- (a) BISPI has completed 40 investigations for the year to date ending June 2002.
- (b) The outcomes of finalised investigations are as follows:

Prosecution Commenced	1
Award Breach Notice Issued	1
No Breach/Offence Identified	15
Insufficient Evidence to Proceed	17
Referred To/Action Taken By Police	3
Referred to WorkSafe	1
Referred to OEA	1
Referred to Cole Royal Commission	1
- (c) There is currently one prosecution in progress.
- (d) The prosecution is against CFMEU State Assistant Secretary Joseph McDonald for an offence under S96E of the WA Industrial Relations Act. The matter has been listed for hearing in the Industrial Magistrates Court commencing on 7 October 2002.
- (e) Yes.
- (f) There are currently eleven outstanding investigations, which include one that has been referred to the Crown Solicitor's Office to commence a prosecution, four that are awaiting advice from the Crown Solicitor's Office and a further six where the investigation is in progress. One investigation is being developed further. This entails obtaining information from numerous further witnesses.
- (g) There have been 52 random visits to various building sites and a further 39 site visits associated with complaint investigations.
- (h) The site visits have included sites in the Central Business District, West Perth, East Perth, Maylands, Morley, Subiaco, Floreat, Joondalup, Mindarie, Midland, Canningvale, Jandakot, Crawley, Bentley and South Perth. The site visits have occurred throughout the period. During site visits representatives of the site management, sub-contractors, employees and the CFMEU have been interviewed and provided information.
- (i) There have been 33 random time and wage inspections completed.
- (j) The random time and wage inspections have occurred as a consequence of two separate campaigns, those being a general non trade specific campaign and a plastering trade campaign. The inspections have occurred as a consequence of identifying a sample of random employers. The outcomes of the inspections are as follows:

Employers complying with Award	9
Underpayment of Wages	7
Non-Monetary Breach of Award	4
No employer/employee Relationship	13
Total Underpayments Recovered	\$2,268.92

- (k) Other activities have included five seminars provided to different Metropolitan Police Districts covering state and federal legislation provisions pertaining to Union Right of Entry. A further seminar was delivered to the Glazing and Aluminium Windows Association on industrial relations issues. BISPI has provided extensive assistance to the Cole Royal Commission, including foliating and delivering all Building Industry Task Force and BISPI files, preparing Government submissions, and monitoring issues raised during the Western Australian sittings.
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