

MR WINZER, PUBLIC INTEREST CLAIM

542. Hon Jim Scott to the Leader of the House representing the Premier

- (1) Did/does the Department of Transport have a documentary record of complaints by Mr Niel Winzer that Transport did not follow a lawful process when it switched agendas for organisational change?
- (2) Does the Department have any documentary proof that it addressed Mr Winzer's complaints and evidence and what is that proof?
- (3) Can the Premier confirm that Mr Winzer made claims of improper processes being used between 1996 and 1998 to the -
  - (a) Director General;
  - (b) Executive Director Corporate Services; and
  - (c) Occupational Health and Safety Officer?
- (4) Did the Director General of Human Resources give evidence at the Conciliation and Review Directorate that she had no knowledge of Mr Winzer's claims stating that, 'I don't recall any debate about the subject between Niel at all'?
- (5) Did Mr Winzer make submissions to Mr Mike Harris on September 18 1998 and January 27 1999 regarding his dispute with Transport relating to his concerns over the privatising and contracting out of programs and the implementation of the 1995 EBA?
- (6) Was Mr Winzer's submission of September 18 1998 referred to the Director of Human Resources and the Executive Director of Corporate Services on that same day?
- (7) Was the Assistant Director General briefed by the Director General of Human Services on the matters raised by Mr Winzer's submission?
- (8) If so, why did the Director General of Human Services give evidence to the Review Directorate that she had no knowledge of Mr Winzer's claims before the November 10 1998?

Hon KIM CHANCE replied:

- (1) The Department has followed the lawful practice of keeping all documents relating to the complaints by Mr Winzer.
- (2) All submissions made to the Department by Mr Winzer have been examined and, where necessary, investigated by senior officers of the Department. In addition, Mr Winzer's claims about the Department of Transport have either been investigated or considered for investigation by the following bodies:
  - Department of Consumer and Employment Protection (formerly the Department of Productivity and Labour Relations)
  - Western Australian Industrial Relations Commission
  - Office of the Public Sector Standards Commissioner
  - Equal Opportunity Commission
  - Anti Corruption Commission
  - Standing Committee on Public Administration
  - Legislative Council Standing Committee on Estimates and Financial Operations
  - Office of the Auditor General
  - WorkCover, Conciliation and Review DirectorateIn accordance with the standard practice, the Department has kept records of any documentation relating to examination and investigations of Mr Winzer's complaints.
- (3)
  - (a) The Department can confirm that between 1996 and 1998 correspondence regarding Departmental processes was addressed by Mr Winzer to the Director General.
  - (b) The Department can confirm that between 1996 and 1998 correspondence regarding Departmental processes was copied by Mr Winzer to the Executive Director Corporate Services.
  - (c) The Department can confirm that between 1996 and 1998 correspondence regarding Departmental processes was faxed by Mr Winzer to the Senior Consultant, Occupational Health and Safety.

- (4) The Director, Human Resources, Department of Transport gave evidence at the Conciliation and Review hearing in relation to Mr Winzer. The Department is unable to locate within the transcript a quote by the Director Human Resources stating "I don't recall any debate about the subject between Neil at all." On page 2328 of the transcript the Director Human Resources states that the 1995 Department of Transport Enterprise Bargaining Agreement 'wasn't even a source of debate.'  
  
This statement was made in response to a question put to the Director Human Resources that the 1995 Enterprise Bargaining Agreement was a source of conflict between the Director Human Resources and Mr Winzer.
- (5) There is a memo on departmental records from Mr Winzer to Mr Harris dated 18 September, 1998. This memo includes allegations relating to the Government's privatising and contracting out program. The Department has no record of a submission being made by Mr Winzer on 27 January 1999.
- (6) Mr Winzer's submission of 18 September, 1998 was received by the Director General of Transport on the 18 September, 1998. It cannot be confirmed that the Director Human Resources and the Executive Director Corporate Services received a copy of the submission on the same day.
- (7) There have been many submissions made by Mr Winzer to the Department of Transport and the Department for Planning and Infrastructure. The Department can confirm that in relation to all matters raised by Mr Winzer, they have briefed appropriate stakeholders. For the record, there is no Assistant Director General of Transport.
- (8) As previously stated the Director Human Resources gave evidence to the Conciliation and Review Directorate. At pages 2284 and 2285 of the transcript the Director Human Resources gives evidence that Mr Winzer raised for the first time in November 1998 a detailed allegation relating to misappropriation resulting from the 1995 Department of Transport Enterprise Bargaining Agreement.