



File ref # 37158

FILE NOTE

Author [REDACTED]

Subject W&E – Royal Hobart Hospital

Date: 19/9/18 Time: 9:00 am

Telephone  Meeting  Interview  Other Site Visit

File note detail:

- Team leader [REDACTED] ( [REDACTED] n) and Investigators [REDACTED], [REDACTED] ( [REDACTED] s) and [REDACTED] ( [REDACTED] ) attended the Royal Hobart Hospital (**the Site**) to speak to workers in relation to the investigation.
- Arrived at the Site at approximately 9:00 am and met with interpreter [REDACTED] ( [REDACTED] ) [REDACTED] was briefed on the situation and was explained the purpose of the investigation.
- [REDACTED], [REDACTED], [REDACTED], [REDACTED] and I signed in to the visitor’s register at the Site. A John Holland representative then escorted [REDACTED], [REDACTED], [REDACTED] and I to Crib Room 4 on the Site.
- The Accuracy Interiors workers had gathered in Crib Room 4. Upon entering Crib Room 4, I witnessed that CFMEU organiser **Section 11C(1)** [REDACTED] was present in the room. **Section 11C(1)** [REDACTED] appeared to start video recording as we entered the room.
- [REDACTED] then approached **Section 11C(1)** [REDACTED] and advised him that we did not consent to have our photos taken or be video recorded. **Section 11C(1)** [REDACTED] appeared to ignore this request and continued to video record the conversation with **Section 11C(1)** [REDACTED]
- [REDACTED] and **Section 11C(1)** [REDACTED] discussed the purpose of our attendance at the Site. [REDACTED] explained that we were at the Site to help the workers and to try to assist them to recover any additional money that they may have been entitled to receive. **Section 11C(1)** [REDACTED] disagreed and discussed the





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ABCC's stance on other matters, such as right of entry. [redacted] explained to [redacted] that he had the right to be involved in our discussions with workers, if they wished to have a support person. [redacted] advised that he did not wish to be involved. The conversation lasted for approximately 10 minutes.

- [redacted] addressed the English-speaking workers and explained the purpose of our attendance at the Site. [redacted] advised that we wished to speak with workers about possible underpayments and that it was voluntary for them to speak with ABCC. [redacted] then repeated this message for the non-English speaking workers. [redacted] appeared to be video recording [redacted] discussion with the workers using his mobile phone.
- At the conclusion of [redacted] address, a significant number of the English-speaking workers left the room. [redacted] and [redacted] went to speak with the remaining English-speaking workers about the investigation. [redacted], [redacted] and I went to speak with the non-English speaking workers.
- [redacted], [redacted] and I approached workers who were sitting at the tables located around the crib room. [redacted] and I briefed [redacted] of what we wished for her to convey to the workers. We advised [redacted] to explain to the workers that we were from the ABCC and that we wished to speak with about what had occurred, in order to identify any underpayments, as we believed that some workers might be entitled to a higher payment than they had received.
- The first workers [redacted], [redacted] and I approached advised that they did not wish to speak with us about the investigation.
- Two other workers [redacted], [redacted] and I approached thought they were underpaid, as they had received an hourly rate of \$40. I advised [redacted] to explain to the workers that we are investigating the matter and that they may be entitled to a higher rate of pay if they were misclassified as contractors. The two workers advised that did not wish to speak about the investigation.
- [redacted], [redacted] and I continued to approach workers and offered to speak with them. The workers continued to advise that they did not wish to speak about the matter.
- [redacted], [redacted] and I then met with a worker who expressed a desire to speak about the matter. [redacted] explained the purpose of the investigation. The worker advised that for a number of weeks he was paid for 48 hours of work, when he had worked 56 hours on those weeks. The worker added that he had obtained documents that proved he had worked 56 hours. I advised [redacted] to explain to the worker that the documents would assist us with the investigation. The worker





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did not wish to speak about the matter in the crib room and requested to speak at a different location. I provided a business card to the worker in order to arrange a time to meet, as he stated that had to attend a meeting. The worker did not wish to provide his name or contact details.

- During the conversation with the worker, [Section 11C(1)] appeared to be taking photos of [redacted], [redacted] and I using his mobile phone. [redacted] approached [Section 11C(1)] and had a conversation with him. I could not hear what [redacted] and [Section 11C(1)] were saying, as I was speaking to the worker.
- [redacted], [redacted] and I continued to approach workers to speak about the investigation. The workers advised they were not willing to speak at the time. [redacted] and I provided business cards to the workers, so they could contact us to discuss the matter. [Section 11C(1)] appeared to be continuing to take photos of [redacted], [redacted] and I using his mobile phone.
- After finishing speaking with workers, [redacted], [redacted] and I had a brief exchange with [Section 11C(1)] in relation to him taking photos. [redacted] advised [Section 11C(1)] that we were leaving the Site.
- At approximately 10:20 am, [redacted], [redacted], [redacted], [redacted] and I signed out of the visitor's register and left the Site.
- After returning to the ABCC office, it was identified that [Section 11C(1)] had posted a photo on his Twitter account of [redacted], [redacted] and I speaking to a worker on the Site. Our faces were blacked out in the photos. [Section 11C(1)] also posted the same photo to his Facebook account.

