

Cleaning Accountability Framework 10 Year Anniversary Celebration

16 November 2023

Check Against Delivery

I begin by acknowledging the Traditional Custodians of the land on which we meet today, the Gadigal People of the Eora nation and pay my respects to Elders past, present and emerging.

We the Office of the Fair Work Ombudsman acknowledge the Traditional Custodians of the lands where we work and live, and respect their spiritual relationship with their country. We celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of this country.

I'm delighted to join you here today to recognise and celebrate the Cleaning Accountability Framework's (CAF) 10-year anniversary and I want to thank the whole CAF team for the invitation to speak with you. CAF's objective is one that I have a close personal affinity with, namely, to end exploitation in property cleaning services and to improve work standards through education and advocacy.

Throughout my career I've represented workers as a trade union official, employers as an executive and board member, and I have been a 'third-party neutral' mediator in my own small consulting business and serving as a Deputy President of the Fair Work Commission. From each of these different vantage points I have keenly observed how positive workplace culture underpinned by collaborative approaches can protect workers, improve work environments, and lower the risk of workplace laws being breached.

The objectives of CAF closely align with my current responsibilities as Fair Work Ombudsman and the work of my office, namely the promotion of harmonious, productive, cooperative, and compliant workplaces. I see collaboration, consultation and conversations that create and support a culture of compliance and the dignity of work as central to my role as Fair Work Ombudsman. It is these approaches that align so well with CAF.

FWO's engagement with the CAF

My view is that industry-led compliance and education measures like CAF are central to a sustained culture of compliance, especially in sectors where there has been a need to arrest the so called 'race to the bottom' mentality. Where there are complex supply chains involving the provision of labour, the risk of non-compliance with workplace laws is heightened.

The move to more fragmented workplaces, where it is difficult to know who the employer is due to outsourcing arrangements, presents new challenges for regulators because of the de-centralised nature of the employee-employer relationship and the risk of degradation of worker conditions. CAF's pioneering approach in the contract cleaning sector seeks to address this.

In preparing to speak with you today I was pleased to learn that not only does the FWO remain an active partner of the CAF, but that we also played a key role in its development, including, I'm told, by working together with key stakeholders to assist in establishing the Framework.

The issues of significant non-compliance, exploitation of cleaners due to supply chain arrangements, and increased uses of contracting had clearly become an issue at the time of CAF's genesis. We knew investigating and litigating could only do so much – focus was needed on the top of the supply chains and on property owners, on those who didn't directly employ the cleaners who clean their buildings but who, due to the way in which they procure and manage outsourced cleaning services, are very much key to whether or not those cleaners will get paid properly.

So, through contacts in United Voice (now the United Workers Union) and working with CAF officials, a partnership between FWO and CAF was developed. We provided technical support and expertise through our knowledge of awards and agreements, helped the committee design and draft the original 3-star certification criteria, and helped to bring key stakeholders to the table, encouraging and supporting the shared long-term goals.

I am pleased to report that this strong collaborative working relationship established almost a decade ago continues today. We were there when CAF launched publicly, and we are proud to be here today as we celebrate CAF's 10th anniversary.

Staff from our Compliance and Enforcement area remain non-voting members of the CAF's Certification Panel, where they provide guidance and advice on compliance with workplace laws. They also have a close working relationship with CAF's Compliance Officers and meet regularly to share learnings and pass on intelligence and trends being identified in the industry. This information is used, in part, to inform our proactive activities in the industry.

It is heartening to see how our collaborative partnership has assisted CAF to scale and certify buildings, and work with tenants and cleaning companies. This assistance has empowered CAF to expand its engagement with large corporate entities and building owners, all of whom have a key role to play in improving workplace conditions for contract cleaning workers.

The CAF is a current recipient of funding delivered through our Community Engagement Grants Program. Progress under the grant so far includes developing and testing training materials and recruiting higher education providers to pilot the standards and audit framework.

I am also pleased to say that 5 buildings with FWO offices are certified under the framework, and we are currently initiating processes to have our office in Hobart certified. We continue to work with our building owners and managers, cleaning contractors, employers, and other tenants to promote the benefits of accreditation for all parties involved.

Raising standards in the contract cleaning industry

One of the reasons CAF is unique is its ability to harness the support of all supply chain participants and stakeholders including commercial property owners, employers, unions, government agencies, large corporations, and cleaning companies.

By engaging with all actors in the supply chain, CAF mitigates compliance risks, drawing awareness to how the setting of contract terms can directly impact the ability of a contractor to pay and treat workers fairly. In particular, by encouraging lead firms such as property owners to recognise the influence they can have on a cleaner's experience in the workplace, CAF has been instrumental in getting these firms to use their leverage in the supply chain to promote good practices and improve working conditions.

CAF's goals and core services use best practice advocacy and education to promote the rights of cleaners, transparent and accountable supply chains, sustainable business models and responsible contracting practices.

By driving awareness and working directly with stakeholders throughout the entire supply chain, CAF provides an opportunity for all participants to proactively address systemic industry practices that can lead to workers being exploited. It's in the intersection between stakeholders in the workplace relations community where the solutions lie.

Perhaps the key feature that distinguishes CAF from other certification schemes is the central element of worker voice. CAF genuinely focuses on hearing from actual cleaners as part of their auditing process and education approach, which reflects the integrity of the certifications CAF carries out, and the sustainability of the CAF model.

Promoting and maintaining a safe space for worker voices is critical to understanding whether workplace laws are being respected and creating a culture of compliance. Ongoing engagement and empowering workers is central to future-focused and self-sustaining compliance.

CAF shows the value that promoting such a culture can have for workers and business alike. This was clear in reading the CAF's 2022 annual report, where I was struck by the testimony of workers who have experienced the real benefits of CAF certification in the workplace. To me this highlighted the positive and enduring impacts that adopting these kinds of collaborative, whole of industry approaches can have.

I see this kind of model as vitally important as we move toward embracing more collaborative approaches across the whole workplace relations community. CAF provides a model that I hope can be leveraged and replicated across different industries, to provide the benefits to workers and businesses that we see materialising in the contract cleaning sector. I believe the work that FWO does, and the work that CAF does, stand side by side. We will continue to promote cooperative and compliant workplaces through our education and enforcement strategies, as CAF strives to promote and support the implementation of best practice approaches to supply chain management and workplace culture and entitlements.

It is this collaboration, joint responsibility, and multi-stakeholder approach between all the actors in the workplace community that is one of the directions I'm keen for the FWO and the workplace community to follow. The CAF, as a world-first organisation, and through its recent growth, demonstrates the clear value of these kinds of approaches.

Conclusion

It has been great to speak with you today about the important work of CAF and celebrate its 10-year milestone.

Having been associated with CAF almost since its inception, it is pleasing to see the growth of the Framework and organisation. I want to recognise the strong leadership of the CAF team and the United Workers Union who have been instrumental in making CAF what it is today.

As Fair Work Ombudsman I am committed to strong and ongoing engagement with CAF aimed at extending the Framework into more of the commercial cleaning sector. I want to work collaboratively with the workplace community to build a culture of compliance, improving standards for all workers and promoting harmonious, productive, and cohesive workplaces.

Thank you again for the invitation to speak with you today and I look forward to speaking with you again in the future.