



31 January 2011

51 Walker Street,  
North Sydney NSW 2060  
Australia

ABN 76 369 958 788

Director  
Legislation, Policy and Criminal Law Review  
NSW Department of Justice and Attorney General  
GPO Box 6  
SYDNEY NSW 2001  
By email [lpd.enquiries@agd.nsw.gov.au](mailto:lpd.enquiries@agd.nsw.gov.au)

Tel: 02 9466 5566  
Fax: 02 9466 5599

**Re. Review of the *Workplace Surveillance Act 2005***

We refer to your letter received on 26 November 2010 inviting the Australian Industry Group ('Ai Group') to make a submission during the Department's review of the *Workplace Surveillance Act 2005* ('Act'). Ai Group welcomes the opportunity to do so.

Ai Group is the leading industry organisation representing employers in the manufacturing, engineering, construction, automotive, food, transport, information technology, telecommunications, labour hire, printing, defence, mining equipment, aviation and other industries. Ai Group is closely affiliated with more than 50 other employer groups in Australia and directly manages a number of those organisations. Together, Ai Group and its affiliates represent the interests of approximately 60,000 businesses which employ in excess of 1.2 million staff.

We submit that the Act in its current form is balanced and supports the needs of both employers and employees. We have not identified any amendments which need to be made.

Since the Act was implemented there have of course been various technological changes. However, the Act was drafted in contemplation of ongoing technological change and we submit that the provisions of the Act remain appropriate.

For example, since 2005 there has been a substantial increase in the use by employers of GPS tracking systems to improve safety and customer service. These days such systems are vital in the management of safety in transport industries such as the trucking, taxi and bus industries. These systems allow employers to monitor the speed of vehicles and the rest breaks taken by drivers, to ensure that drivers and other road users remain safe.

GPS tracking systems also play a major role in technical service industries (eg. the electrical contracting, plumbing, air-conditioning, refrigeration and business equipment industries). Such systems enable employers to more efficiently run their businesses and achieve higher levels of customer responsiveness and service. GPS tracking systems enable employers to identify the current location of company vehicles and determine the appropriate vehicle to direct to other jobs within the

service area. This flexibility not only allows businesses to be more productive and responsive, it prevents fuel and other resources being wasted, and it reduces environmental impacts.

With regard to GPS tracking, the Act deals with such surveillance in a balanced and appropriate way.

Should you have any queries about Ai Group's position, please contact Genevieve Vaccaro, Adviser – Workplace Relations Policy of Ai Group on 02 9466 5421 or myself.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. Smith', written in a cursive style.

**Stephen Smith**  
DIRECTOR – NATIONAL WORKPLACE RELATIONS