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Western Australia.*

Cabinet Submission

Cabinet Submission with Annotations

Cabinet Summary Sheet

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CONFIDENTIAL

CABINET SUMMARY SHEET

OFFICE USE ONLY	
SUBMISSION NO.	DATE RECEIVED

TITLE OF CABINET MINUTE	
REQUEST FOR APPROVAL TO PRINT – WELLNESS IMPROVEMENT THROUGH PETS IN THE WORKPLACE BILL 2020	
MINISTER'S NAME, TITLE AND RELEVANT PORTFOLIO	
HON N MARSHAL MLA, MINISTER FOR HEALTH	
IMPLEMENTING AGENCY	
DEPARTMENT OF HEALTH	
PURPOSE (objective of proposal)	
To obtain Cabinet approval to print the <i>Wellness Improvement Through Pets in the Workplace Bill 2020</i> for the promotion of mental and physical well-being of employees by requiring employers to facilitate the attendance of pets in the workplace.	
COSTING/FINANCIAL IMPLICATIONS	
Is proposal covered by existing/approved forward estimates? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
IF NO, DOES PROPOSAL HAVE AN ADDITIONAL IMPACT ON:	
Expense Limit	Net Operating Balance
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Net Debt	FTE Increases
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
IS PROPOSAL TO BE FUNDED (FULLY OR PARTIALLY) VIA:	
<input type="checkbox"/> Re-prioritisation of savings	<input type="checkbox"/> Reduction in cash balance
<input type="checkbox"/> Royalties for Regions	<input type="checkbox"/> Increase in retained revenue
<input type="checkbox"/> Increase in appropriation	
HAS THE DEPARTMENT OF TREASURY EVALUATED FINANCIAL IMPLICATIONS OF PROPOSAL?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (TO BE DETAILED IN CONSULTATION SECTION OF CABINET MINUTE)	
Is this an asset investment proposal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, has Treasury confirmed it complies with the Strategic Asset Management Framework? <input type="checkbox"/> Yes <input type="checkbox"/> No	
IS THIS A REGULATORY PROPOSAL? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	BRU ID#
IF YES, HAS PROPOSAL COMPLIED WITH THE GOVERNMENT'S RIA PROCESSES?	(For Regulatory Proposals Only)
<input type="checkbox"/> Not Required <input type="checkbox"/> Yes <input type="checkbox"/> No OR Exemption Obtained – If Yes INSERT DATE:	
RELATION TO GOVERNMENT POLICY, DESIRED OUTCOMES AND KEY PERFORMANCE INDICATORS	
Election Commitment	
DATE OF PREVIOUS CABINET DECISION/S	
23 OCTOBER 2019	
URGENCY/EVALUATION EVIDENCE	
The Bill is required to be urgently introduced into Parliament in the Summer sitting to ensure the legislation is passed and operational by the end of 2020.	
WHO HAS BEEN CONSULTED/EXTENT OF AGREEMENT REACHED	
There has been extensive consultation over a four-month period across public sector agencies and community, health, mental health, union, employer and not-for-profit groups. The State Solicitor's Office and Parliamentary Counsel has also been consulted.	
RECOMMENDATION	
That Cabinet approves the recommendations as outlined in the minute.	

IMPLEMENTATION REQUIREMENTS

EXECUTIVE COUNCIL APPROVAL	LEGISLATION REQUIRED	<input type="checkbox"/> Amendments
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> New legislation
ACTION REQUIRED BEFORE ANNOUNCEMENT		
TIMING OF ANNOUNCEMENT	SIGNATURE	DATE
	Neil Marshal	

2cm margin on the left

Should be exactly the same as what is in the minute

Should be exactly the same as what is in the minute.

If the recommendation is too long, you can substitute with "That Cabinet approves the recommendations as outlined in the minute."

Relevant portfolio only

Has the relevant agency CFO and Treasury analyst verified this information?

The summary sheet must be one page!

Purpose and Background

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MINISTER FOR HEALTH

SUBMITS TO

PREMIER (IN CABINET)

REQUEST FOR APPROVAL TO PRINT – WELLNESS IMPROVEMENT THROUGH PETS IN THE WORKPLACE BILL 2020

PURPOSE

To obtain Cabinet approval to print the Wellness Improvement Through Pets in the Workplace Bill 2020 for the promotion of mental and physical well-being of employees by requiring employers to facilitate the attendance of pets in the workplace.

BACKGROUND

On 23 October 2018, Cabinet approved the drafting of a Bill requiring employers to facilitate the attendance of pets in the workplace.


A key component of the Bill requires employers to prepare and implement pet access plans, in consultation with employee representatives. Access plans must be registered with the Board for the Facilitation of Pet Workplace Access (Board) and employers are required to arrange for an authorised auditor to conduct an annual audit of compliance with their access plans. Annual audit opinions must be submitted to the Board within thirty days of being provided to an employer by an authorised auditor.

The Bill recognises, however, that there are many different kinds of workplaces throughout the State and that it may not always be possible to accommodate the regular attendance of pets in some workplaces for extended periods of time. For these reasons, section 86 sets out circumstances in which a workplace is to be considered an exempt workplace.


Section 87 imposes certain requirements on employers in the event that a workplace is an exempt workplace pursuant to section 86. One such requirement is that, bi-annually, employers are to facilitate a "Bring Your Pet to Work Day".

These proposed regulations set out the reasonable obligations that are to apply to employers and employees on the relevant days, to ensure the safety of all persons and pets in the workplace. Attachment A contains a more detailed explanation of each proposed regulation.

What is the submission trying to achieve?



What relevant information do Ministers need to know in order to make a decision?



Financial, Policy, Urgency & Consultation Details

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COSTING/FINANCIAL IMPLICATIONS

Additional impact on existing/approved forward estimates	[Current year] \$'000	[Forward estimate year 1] \$'000	[Forward estimate year 2] \$'000	[Forward estimate year 3] \$'000
Expense Limit	0	0	0	0
Net Operating Balance	0	0	0	0
Asset Investment Program	0	0	0	0
Net Debt	0	0	0	0
Salary Expense Limit	0	0	0	0
Full Time Equivalent Staff	0	0	0	0

Footnote: Above information verified by Kelly Stock, Chief Financial Officer, Department of Health.

To implement the necessary changes to workplaces to properly facilitate and manage having fogs in the workplace, access plans and online training modules will need to be developed at the cost of the State Government.

RELATION TO GOVERNMENT POLICY

The Bill implements an election commitment and the Government has announced its intention to improve mental and physical well-being in the workplace.

URGENCY

The Bill is required to be urgently introduced into Parliament in the Autumn sitting to ensure the legislation is passed and operational by the end of 2020.

CONSULTATION

There has been extensive consultation across the public sector agencies and community, health, mental health, union, employer and not-for-profit groups.

This occurred via the release of a discussion paper, with submissions informing the drafting and release of a Green Bill for a three-month comment period. Comments received during this period were overwhelmingly supportive with the exception of one group, the Network of Outrage and Fear Umbrella Committee (NOFUN).

In representing its members views, NOFUN expressed concern at the likelihood of lost revenue and inadequate safeguards to protect non-pet owning employees from potential allergic reactions.

The State Solicitor's Office was consulted during the drafting of the previous version of the Bill which was considered by Cabinet in October 2019, and their advice taken.

Further detail is included in the consultation summary sheet.

The financial information should be verified by the relevant CFO.

Are there any timelines or deadlines that Cabinet needs to be aware of? What are the risks if these timelines are not met?

This should be a concise summation of the consultation undertaken e.g. are stakeholders supportive of the proposal? If not why not?

The financial implications box must be included in all submissions, even where the implications are \$0. Your Treasury analyst and CFO should be able to help you complete the table appropriately

How does this proposal relate to broader government goals and policies, including election commitments, whole of government targets etc.

Impacts, Strategy & Recommendation

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Consult with the Better Regulation Unit in Treasury.



REGULATORY IMPACT ASSESSMENT

Nil.

REGIONAL IMPACT



The Bill will apply to all workplaces in regional Western Australia. Consideration has been given to a wide range of alternative pets such as horses that would be more common in the regions, and regulations will be reviewed periodically to ensure these pets are adequately included in the Bill.

MEDIA/COMMUNICATIONS STRATEGY

At the discretion of the Minister for Health.

RECOMMENDATION

That Cabinet approves the printing of the *Wellness Improvement Through Pets in the Workplace Bill 2030*.



Identify any potential impacts or risks particular to the regions.

Neil Marshal

Neil Marshal
MINISTER FOR HEALTH

Recommendations should clearly and concisely say what the submission is requesting Cabinet to do. i.e. approve, note, etc.

There should only be one action per recommendation.

Where there is more than one recommendation, number them (not dot points!).

Consultation Summary

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CONSULTATION SUMMARY

TITLE REQUEST FOR APPROVAL TO PRINT – WELLNESS THROUGH PETS IN THE WORKPLACE BILL 2019	PORTFOLIO HEALTH
SUMMARY In developing the Act and supporting regulations, there has been widespread consultation with public sector agencies and community, health, mental health, union, employer and not-for-profit groups. This occurred via the release of a discussion paper, with submissions informing the drafting and release of a Green Bill for a three-month comment period. With the exception of one stakeholder group, the Network of Outrage and Fear Umbrella Committee (NOFUN), the proposed <i>Bring Your Pet to Work Day Regulations 2020</i> received the support of all stakeholders. In representing its member views, NOFUN expressed concern at the likelihood of lost revenue and inadequate safeguards to protect non-pet owning employees from potential allergic reactions on "Bring Your Pet to Work Days". Reviews conducted in other jurisdictions that have enacted similar legislation indicate, overwhelmingly, improved morale and increased productivity as a result of measures to promote pet attendance in the workplace. In addition, the agency consulted with the medical profession, in particular respiratory and dermatological specialists, in formulating the proposed regulations dealing with health safeguards. Those consulted confirmed that the safeguards represent best practice.	
SUBMITTED BY MINISTER FOR HEALTH <i>Neil Marshal</i> Date:	Department/Agency Contact Name: Cassandra Hughes, Senior Legislative Advisor Department of Health Telephone number: 1234 5678

This should expand on the summation included in the submission.

Who are the relevant stakeholders?

Who has been consulted?

Have they been supportive of the proposal?

Why or why not?

If they are not supportive, what is being done to mitigate any potential conflict or risks?