

For the purposes of General Procurement Direction 2025/09

August 2025

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### **Publication information**

This document is part of the suite of whole-of-government procurement resources designed for use by State agencies that are subject to the <u>Western Australian Procurement Rules</u> and other procurement connected policies and directions. Refer to the <u>Buying for government</u> page to access these resources.

This document is available on the Annual Paid Information Session for Government Cleaning and Security Contracts page on <u>WA.qov.au</u>.

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| May 2023         | 1       | Release  |
| August 2025      | 2       | Public Sector Reform 2025 related minor edits and rebranding. No change to model clause or GPD requirements. |
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## **Background**

The WA Government, as part of its suite of initiatives aimed at combatting wage theft, made a commitment to provide for an annual paid meeting with workers and the relevant union on government cleaning and security contracts. This commitment was made to assist workers to understand their employment rights.

### 1. General Procurement Direction 2025/09

General Procurement Direction 2025/09 'Annual Paid Information Session for Government Cleaning and Security Contracts' (GPD 2025/09)<sup>1</sup> was issued on 1 July 2025. GPD 2025/09 was issued in connection with the WA Government's Public Sector Reform, and it revokes and replaces General Procurement Direction 2023/01.

GPD 2025/09 mandates the inclusion of a special condition in relevant contracts. The special condition has been incorporated into relevant whole-of-government procurement templates (see section 2 below). The model clause in section 4 of this document has been published to assist agencies needing to incorporate the special condition into their own agency templates.

State agencies are required to insert the special condition in ongoing cleaning and security contracts with an estimated contract value of \$50,000 or above, except where services are to be undertaken in schools and hospitals.

The condition requires contractors to allow their employees to attend an information session on workplace rights conducted by the relevant union, at the ordinary rate of pay once per calendar year.

## 2. Procurement Templates and Guidance

The special condition has been included in the relevant procurement templates managed by the Department of Treasury and Finance since May 2023.

Additional guidance on using the model clause and practical advice for State agencies and contractors on how to implement the model clause if available on WA.gov.au.

## 3. Use of Model Clause

The model clause contained in this document is provided for general agency guidance only. It should be reviewed and adjusted for consistency with any procurement or contract documentation in which it is used. If in doubt, an agency should seek legal advice about the model clauses prior to finalising any documentation in which they are used.

<sup>&</sup>lt;sup>1</sup> https://www.wa.gov.au/government/document-collections/general-procurement-directions

### 4. Model Clause

The Contractor agrees to:

- (a) grant paid leave, paid at the ordinary rate of pay during normal working hours, to each of its employees who are Contractor Personnel (each a Contract Employee) in order for the Contract Employee to travel for and attend an information session on workplace rights conducted by the relevant union (Information Session);
- (b) grant that paid leave (Information Session Leave) to the Contract Employee for the period reasonably necessary to enable the Contract Employee to travel for and attend the Information Session,

subject to the conditions that:

- (c) this clause does not require the Contractor to grant to the Contract Employee more than two hours of Information Session Leave per calendar year during the Term, running from the commencement of the Term;
- (d) this clause does not require the Contractor to grant Information Session Leave to the Contract Employee to attend an Information Session which is scheduled to occur, or which occurs, at a time when the Contract Employee is not rostered or otherwise scheduled or obliged to work; and
- (e) the Contractor may stipulate reasonable conditions as to Information Session Leave, including as to the provision of sufficient notice in respect of the Contract Employee's planned attendance at an Information Session.

The Contractor must ensure that each of its contractors and subcontractors at any tier (if any) complies with this clause in respect of their employees who are Contractor Personnel.

In this clause, a reference to **"employee"** includes a natural person engaged under a contract for services.