



TRS21D2401

Treasurer

Level 8
State Administration Centre
200 Victoria Square
Adelaide SA 5000
GPO Box 2264
Adelaide SA 5001
DX 56203 Victoria Square
Tel 08 8226 1866
treasurer.dtf@sa.gov.au

Hon Tony Piccolo MP
Member for Light
148 Murray Road
GAWLER SA 5118

light@parliament.sa.gov.au

Tony

Dear Mr Piccolo

APPLICATION UNDER THE *FREEDOM OF INFORMATION ACT 1991*

I refer to your application made under the *Freedom of Information Act 1991* (the Act), dated 17 September, 2021.

Your application seeks access to:

"Copies of any and all documents (including but not limited to hard copy or electronic briefings, minutes, reports, emails, letters and any other correspondence regarding any grievances or complaints lodged regarding the Light Electorate Office, between 1 March 2018 and 17 September 2021."

Determination under review

The legislative prescribed timeframe to determine this application has expired and is now deemed to have refused you access to all documents relevant to your application.

Outcome of internal review

A total of 11 documents were identified as answering the terms of your application.

I grant you access in full to 7 documents; copies of which are enclosed.

I grant you access in part to 2 documents; copies of which are enclosed.

I refuse you access in full to 2 documents.

Documents Refused in Full

Documents 3 and 6.

Document 3 is a copy of documents that relate to a FOI determination (T&F21/0663, T&F21/0665, T&F21/0667 and T&F21/0692) and Document 6 is a copy of documents that relate to a FOI determination (T&F21/0664), both provided by the Department of Treasury and Finance (DTF). Both documents are exempt in full as publicly available on the DTF website.

Documents Released in Part

Documents 10 and 11 are released in part as both contain Crown advice which is subject to legal professional privilege. I therefore determine this exempt pursuant to clause 10 to the Act.

Both documents also contains information of a personal nature which if released, would be an unreasonable disclosure of personal affairs. I have determined to exempt this information pursuant to clause 6(1).

Exemptions

Clause 6 – Documents affecting personal affairs

- (1) *A document is an exempt document if it contains matter the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person.*

Clause 10 – Documents subject to legal professional privilege

- (1) *A document is an exempt document if it contain matter that would be privileged from production in legal proceedings on the ground of legal professional privilege.*

Please note, in compliance with Premier and Cabinet Circular PC045 - *Disclosure Logs for Non-Personal Information Released through Freedom of Information* (PC045), the Department of Treasury and Finance is now required to publish a log of all non-personal information released under the Act.

In accordance with this Circular, any non-personal information determined for release as part of this application, may be published on the DTF website. A copy of PC045 can be found at the following address: <https://dpc.sa.gov.au/resources-and-publications/premier-and-cabinet-circulars>. Please visit the website for further information.

As I am determining this application as Principal Officer, section 29(6) of the Act does not provide for an internal review. If you are dissatisfied with my determination you are entitled to exercise your rights of external review with the Ombudsman.

Alternatively, you can apply to the South Australian Civil and Administrative Tribunal. If you wish to seek a review, section 39(3) of the Act states you must do so within 30 calendar days of receiving the determination.

If you require any further information, please contact Vicky Cathro on (08) 8226 9769.

Yours sincerely



Hon Rob Lucas MLC
Principal Officer

21 November 2021

Att.

RELEASE

Tonkin, Kate (DTF)

From: DTF:Freedom of Information
Sent: Friday, 30 July 2021 4:05 PM
To: De Gennaro, Gino (DTF)
Cc: Wilson, Claire (DTF); Cathro, Vicky (DTF); Mesisca, Luigi (DTF); Tonkin, Kate (DTF)
Subject: FOI determination for noting - T&F21/0663, T&F21/0665, T&F21/0667, T&F21/0692
Attachments: T&F21_0663, 0665, 0667, 0692 - For noting.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Approved

Good afternoon

Please find attached determination minute, draft letter and release documents to be noted.

Scope was negotiated to answer 4 applications with 1 determination. Comments sought by 3pm Friday 6 August 2021

Thank you

Natalie Haigh

FOI Officer | Information Management | Organisation and Governance

State Administration Centre, 200 Victoria Square ADELAIDE SA 5000

t 8429 0839 | e natalie.haigh@sa.gov.au | w treasury.sa.gov.au



Government of South Australia
Department of Treasury
and Finance



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MINUTES forming ENCLOSURE to

File T&F21/0663
A1957652To  Chief Executive

FREEDOM OF INFORMATION DETERMINATION – WORKERS COMPENSATION CLAIM

Timing: DETERMINATION TO BE RETURNED TO FOI TEAM BY 4 August 2021

Recommendations/Issues: It is recommended that you note the attached determination of the FOI application from Mr Gabriel Polychronis of The Advertiser regarding workers compensation claims at some electorate offices.

Noted



A/Chief Executive

30/7/21

Key Points:

- Mr Polychronis specifically sought:

'T&F21/0692 - Any document that refers to Workers Compensation claims by employees who have worked in the office of the Member for Florey arising out of complaints or concerns expressed about the behaviour of the current Member for Florey. [Date Range: 19/03/2018 to 05/07/2021]

T&F21/0667 - Any document that refers to Workers Compensation claims by employees who have worked in the office of John Darley MLC arising out of complaints or concerns expressed about the behaviour of John Darley MLC. [Date Range: 19/03/2018 to 05/07/2021]

T&F21/0665 - Any document that refers to Workers Compensation claims by employees who have worked in the office of the Member for Hurtle Vale arising out of complaints or concerns expressed about the behaviour of the current Member for Hurtle Vale. [Date Range: 19/03/2018 to 05/07/2021]

T&F21/0663 - Any document that refers to Workers Compensation claims by employees who have worked in the office of the Member for Light arising out of complaints or concerns expressed about the behaviour of the current Member for Light. [Date Range: 19/03/2018 to 05/07/2021]

- After negotiation with Mr Polychronis, the scope was amended to:

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'A breakdown of the number of workers compensation claims for the offices of the Member for Florey, Member for Hurtle Vale, Member for Light and John Darley MLC and if the claim was accepted or rejected. [Date Range: 19/03/2018 to 05/07/2021]'

- A search of the department's databases and information stores identified 1 document that is within scope of the request. I have determined to release the document in full.
- The assistance and advice of Electorate Services and Work Injury Services was sought in making this determination. The determination will be sent to the applicant on 6 August 2021



Julie-Anne Burgess

EXECUTIVE DIRECTOR, ORGANISATION AND GOVERNANCE

29 July 2021

cc: Chief of Staff, Office of the Treasurer

Contact Officer: Natalie Haigh

Telephone: 90839

OFFICIAL

Tonkin, Kate (DTF)

From: DTF:Freedom of Information
Sent: Friday, 30 July 2021 5:00 PM
To: De Gennaro, Gino (DTF)
Cc: Wilson, Claire (DTF); Cathro, Vicky (DTF); Mesisca, Luigi (DTF); Tonkin, Kate (DTF)
Subject: FOI determination for noting - T&F21/0664
Attachments: T&F21_0664 - For noting.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Approved

Good afternoon

Please find attached determination minute and letter to be noted.

Comments sought by 3pm Friday 6 August 2021

Thank you

Natalie Haigh

FOI Officer | Information Management | Organisation and Governance

State Administration Centre, 200 Victoria Square ADELAIDE SA 5000

t 8429 0839 | e natalie.haigh@sa.gov.au | w treasury.sa.gov.au



Government of South Australia
Department of Treasury
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MINUTES forming ENCLOSURE to

File T&F21/0664
A1957743To  Chief Executive**FREEDOM OF INFORMATION DETERMINATION – STAFF COMPLAINTS AT LIGHT
ELECTORATE OFFICE**

Timing: DETERMINATION TO BE RETURNED TO FOI TEAM BY 4 August 2021

Recommendations/Issues: It is recommended that you note the attached determination of the FOI application from Mr Gabriel Polychronis regarding staff complaints at Light electorate office

Noted



A/Chief Executive

30/7/21

Key Points:

- Mr Polychronis specifically sought:
'Any document that refers to complaints or concerns expressed by employees who have worked in the office of the Member for Light about the behaviour of the current Member for Light.[Date Range: 19/03/2018 to 05/07/2021]'
- A search of the department's databases and information stores identified no documents that are within scope of the request.
- The assistance and advice of Electorate Services was sought in making this determination. The determination will be sent to the applicant on 6 August 2021



Julie-Anne Burgess

EXECUTIVE DIRECTOR, ORGANISATION AND GOVERNANCE

29 July 2021

cc: Chief of Staff, Office of the Treasurer

Contact Officer: Natalie Haigh
Telephone: 90839

OFFICIAL

Tonkin, Kate (DTF)

From:
Sent: Monday, 16 August 2021 6:02 PM
To: DTF:Treasurer
Subject: trainee of member of parliament

Categories: Naveena

Dear Mr Lucas,

I write to seek your advice in regard to an article published by *The Advertiser* online this evening, with the headline "Labor move to investigate former staffer's bullying claims against Light MP Tony Piccolo."

It is my understanding that the member of parliament interviews candidates for the trainee position, but the trainee is employed and paid by the Department of Treasury and Finance. Is that correct?

If it is correct, the trainee is not employed by the political party or the member of parliament. So why is the Labor Party conducting an investigation into Bradley Johnson's allegations and not a government agency?

Yours sincerely,

Maggie Dawkins (Mrs)



**Government
of South Australia**

Office of the
Treasurer
Level 8
State Administration Centre
200 Victoria Square
Adelaide SA 5000
GPO Box 2264
Adelaide SA 5001
DX 56203 Victoria Square
Tel 08 8226 1866
treasurer.dtf@sa.gov.au

TRS21D2048

Mrs Maddie Dawkins

Dear Mrs Dawkins

Thank you for your email, dated 16 August 2021, regarding the investigation of allegations made against the Hon Tony Piccolo MP by his former trainee, Mr Bradley Johnson.

Mr Piccolo has been publicly accused by Mr Johnson of months of escalating harassment and abuse, both verbally and via email, culminating in Mr Johnson's forced resignation in 2018 one month before his traineeship was due to be completed.

As you have correctly stated in your email, trainees such as Mr Johnson are employed within the Department of Treasury and Finance.

The South Australian Government takes allegations regarding the bullying and harassment of public sector employees extremely seriously. I have referred the matter to the Office of the Commissioner for Public Sector Employment, who will provide me with advice about options to have the allegations investigated.

In particular, I have also asked the Commissioner whether there may have been a breach of section 53 of the *Training and Skills Development Act 2008*, which applied at the time, and how that should be investigated. Section 53(2)(d) makes it clear that it is an offence under the Act to pressure someone into the termination of a training contract, such as a traineeship.

Whilst nothing prevents the Labor Party from conducting its own investigation, it is my view that these complaints cannot be properly dealt with by an internal review which is not truly independent but conducted by Labor appointed investigators into a long-serving Labor Member of Parliament and former Minister.

Trainees are public sector employees and it is appropriate that the Government takes steps to investigate any reported allegations of bullying and harassment. I would encourage employees working in political offices, such as Mr Johnson, who may be hesitant to raise any such allegations with their direct manager, to contact Electorate Services, Department of Treasury and Finance or the Office of the Commissioner for Public Sector Employment.

Thank you again for writing to me about this important issue.

Yours sincerely

A handwritten signature in blue ink that reads "Rob Lucas".

Hon Rob Lucas MLC
Treasurer

18 August 2021



**Government
of South Australia**

**Office of the
Treasurer**

Level 8

State Administration Centre

200 Victoria Square

Adelaide SA 5000

GPO Box 2264

Adelaide SA 5001

DX 56203 Victoria Square

Tel 08 8226 1866

treasurer.dtf@sa.gov.au

MINUTES *forming* ENCLOSURE to:

Physical ID: TRS21D2046

**TO: MS ERMA RANIERI PSM
COMMISSIONER FOR PUBLIC SECTOR EMPLOYMENT**

RE: REFERRAL OF ALLEGATIONS FOR ADVICE – MR BRADLEY JOHNSON

I refer to the attached correspondence from Mr Bradley Johnson, dated 3 August 2021, regarding allegations of bullying made against the Hon Tony Piccolo MP during Mr Johnson's employment as a Trainee working in Mr Piccolo's electorate office.

I also refer to the attached newspaper article regarding the matter, entitled "Staffer claims MP bullied him", published in *The Advertiser* on 17 August 2021.

As the Minister responsible for the Public Sector, I have determined to refer Mr Johnson's allegations to you for your advice.

I seek your advice regarding the allegations, including, but not limited to, Mr Johnson's allegation that Mr Piccolo, in effect, forced him to resign from his employment in December 2018. I also seek your advice in relation to options for the investigation of the allegations, including regarding the appropriate persons or body to conduct any such investigations.

I understand that, given Mr Johnson's employment as a Trainee at the time, the provisions of the *Training and Skills Development Act 2008*, as it then was, may be relevant to this matter. Specifically, I seek your advice regarding whether Mr Piccolo may have contravened the offence provision in section 53(2)(d) of that Act (attached), which prohibits the exertion of undue influence, pressure or use of unfair tactics against, a person in relation to the termination of training contracts.

Upon receipt of your advice, I will consider any available options for the investigation of the matter.

Rob Lucas

Hon Rob Lucas MLC
Treasurer

17 August 2021

Att. Letter from Mr Bradley Johnson, dated 3 August 2021.
The Advertiser, "Staffer claims MP bullied him", dated 17 August 2021.
Extract of *Training and Skills Development Act 2008* – Version: 1.7.2017 to 1.12.2019.

3 August 2021

Dear Mr Malinauskas

I am writing to you to raise a formal complaint against the Hon Tony Piccolo, Member for Light, and his behavior throughout my traineeship in his electorate office. I have copied in Emily Bourke within her capacity as president, the Independent Commissioner Against Corruption, and the Light Electorate Office for reference.

To give you some background, I am a 22-year-old with a burning passion for politics. I am the President of the Ramsay sub-branch, a member of Young Labor, and a dedicated member of the party. I have been a member of the party since 2018 where I volunteered in campaigning and scrutineering, which I found to be a highlight in my political experiences. I am coming forward with this complaint after much deliberation and thought. I was initially hesitant to speak up, as I was concerned that Tony's power and influence would leave me silenced, isolated, and removed from the party. Despite these concerns, I believe it vital for young people to speak up against abuse of power from leaders in our community. I would also like to highlight that I have been approached for information on the matter from outside sources, particularly the press, and have provided an honest and accurate representation of the events that occurred detailed below.

In 2018 I began my 12-month traineeship under Tony. Immediately I began experiencing inappropriate comments and general belittlement from him, however it was just before the state election, so I put it down to his stress. Unfortunately, however, once the election had finished the comments only got worse. Tony began making comments about my weight in front of staff members; "Jeez, you've put on a bit of weight lately", sending me personal emails criticizing my work and copying in all staff members, and making jokes at my expense. This behavior only got worse once the office manager, Janet Done, began making untrue accusations against me to Tony ("reading books during working hours" or "ignoring constituent emails"). Tony began removing responsibilities and tasks from me, but I did not raise complaints as I was honored to be involved in the experience of working for a Member of Parliament in any capacity.

As December came around, we started searching for a new Trainee in preparation for when my traineeship ended. Tony had found a candidate he was particularly fond of, Isaac Solomon. Despite the hope of a new trainee, the harassment and belittlement would continue, with examples such as "At least Isaac will be better at photography than Bradley" (knowing photography was my passion), "We can finally get the office back on track once Isaac starts", and "Well, Isaac can't do a worse job than Bradley". This bullying and abuse put me in a dark place mentally. I would wake up some mornings unable to face Tony or Janet in the office, so I would call in sick. I did not feel safe mentally within the workplace, and at home I was experiencing numerous panic attacks and depressive episodes. But still, I persisted as I did not have much longer left on my Traineeship and I was still passionate about working in a fast-paced political environment.

3 August 2021

Eventually all this bullying culminated one afternoon when Tony called me to his office around 1:00pm. He sat me down and provided me with an ultimatum. Either I hand in my resignation before close of business, or I would never get a good reference from him in any future jobs. Tony explained that he wanted Isaac to replace me ASAP, so I was given 4 hours to make the decision. Due to Tony's power and influence in the party, I was terrified of speaking up or contacting my union, and as I lived out of home I desperately needed a job to pay rent and feed myself. I had no option but to write my resignation against my will and end my traineeship early.

I understand that this event having taken place in 2018 prevents much action from taking place. As such, instead I ask for a formal written apology from Tony for his bullying and harassment, as well as an apology for coercing me into a forced resignation. I would appreciate you speaking to Tony about organizing this and sending one back through to me via this email address, as it would be irresponsible and mentally taxing for me to contact Tony directly. I believe that having you as the intermediary will benefit both myself and the party directly by reducing emotional conflicts of interest and maintaining the party's strict policy around harassment and bullying.

Thank you for taking the time to read this letter Peter, I'm sure you can appreciate how difficult it has been to stand up and speak out against a leader in my community, particularly one within my own party. I would again like to emphasize that I am a proud member of the Labor party, and I believe that our MP's must be held to the absolute highest of standards. I don't believe bullying and coercion should hold a place in any workplace, especially that of a Member of Parliament. Abusing your power as an MP to bully, belittle, and coerce an 18-year-old continues to sicken me, as I am sure it will sicken you as well.

Kind regards

A handwritten signature in blue ink, appearing to be 'Bradley Johnson', with a long horizontal line extending to the right.

Bradley Johnson

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BUY SEARCH SELL

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MY TRIBUTES

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X LOTTO

DRAW NO. 4104

8 36 45

21 23 38

2 40 Supplementary numbers

DIVISION 1: \$1 MILLION
TOTAL POOL: \$1,685,321.04

CONTACT

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Country: 1800 888 384
Address: GPO Box 339, Adelaide 5000, 31 Waymouth St, Adelaide 5000.
Printed and published daily by Advertiser Newspapers Pty Limited.
A.C.N. 00707297. Registered by Australia Post. Publication no. 5810796.

Inquiry launched into senior Labor figure

Staffer claims MP bullied him

GABRIEL POLYCHRONIS

LABOR stalwart Tony Piccolo has been accused of bullying one of his former staffers three years ago, sparking an investigation within the party.

Bradley Johnson, who worked as a trainee in the Gawler-based Light electorate office between January and December 2018, claims his former boss used "bullying and harassment tactics" against him.

In a letter sent to Labor leader Peter Malinauskas, Mr Johnson, 22, accused Mr Piccolo of forcing him to resign a month before he was due to finish his traineeship.

Mr Johnson, in his letter, claimed Mr Piccolo (inset) made inappropriate comments about his weight in front of other staff.

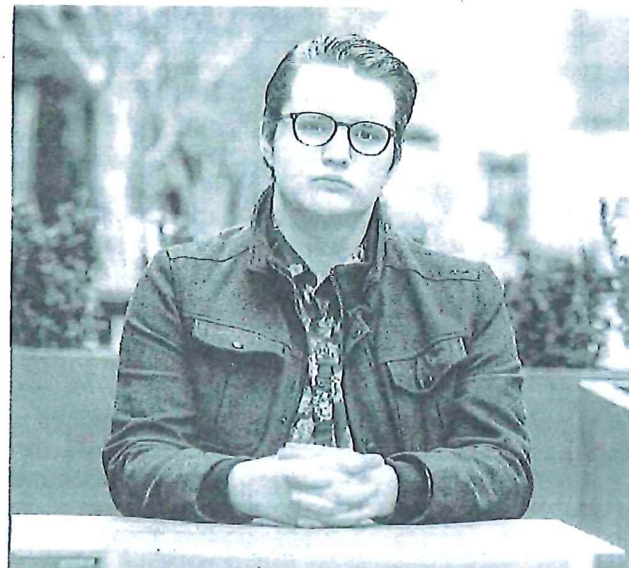
He also claimed that his former boss sent "personal emails criticising my work and copying in all staff members, and making jokes at my expense".

The Advertiser understands SA Labor secretary Reggie Martin has moved to hire independent investigators to probe the claims.

"I can confirm that I have had a matter referred to me, and we are in the process of conducting an independent review," Mr Martin said in a statement.

Mr Piccolo, who has held the state seat of Light since 2006, did not respond directly to the allegations.

"I will fully co-operate with the independent review



Bradley Johnson, who has accused Tony Piccolo of bullying. Picture: Brenton Edwards

that has been established," he said. Mr Johnson also sent his letter to the Light electorate office.

Mr Johnson is a member of Labor's Left faction and president of the Ramsay sub-branch. Mr Piccolo defected from the Left to the Right when he became police minister in 2013.

In his letter, Mr Johnson claimed he "immediately started experiencing inappropriate comments and general belittlement" when he started working for Mr Piccolo in 2018.

One example he provided was when he claimed the

Light MP said, "Jeez, you've put on a bit of weight lately", in front of other staff.

Mr Johnson went public in the hope that other staffers would speak out about concerns over parliamentary workplace behaviour.

"(The alleged incidents) put me in a dark place mentally," Mr Johnson said.

Mr Johnson claimed that he was pushed into resigning in December 2018 - one month before completing his traineeship and Certificate 3 in Business.

"(Mr Piccolo) sat me down and provided me with an ultimatum. Either I hand

in my resignation before close of business, or I would never get a good reference from him in any future jobs," he said in his letter.

"Due to Tony's power and influence in the party, I was terrified of speaking up or contacting my union, and as I lived out of home I desperately needed a job to pay rent and feed myself," he said.

"I had no option but to write my resignation against my will and end my traineeship early."

An Opposition spokesman said Mr Malinauskas referred the letter to the party's "complaints process".

Arrest over stabbing

A MAN has been arrested after an assault at a Henley Beach home on Sunday night.

Just after 9pm, police and paramedics were called to a house on East Tce following reports a man had stabbed another man.

The pair were known to each other, police said.

The victim, from Henley Beach, was taken to the Royal Adelaide Hospital for treatment of a minor stab wound to the abdomen.

A 38-year-old man, also from Henley Beach, has been charged with aggravated assault causing harm.

Two rape charges

A SECOND man has been arrested following an alleged sexual assault which occurred last week.

On Monday, detectives from Western District CIB arrested a 27-year-old man from the western suburbs and charged him with rape. On Friday, August 13, detectives had arrested a 21-year-old man from the northern suburbs and charged him with rape.

Both men have been bailed to attend the Port Adelaide Magistrates Court on September 21.

If you have information call Crime Stoppers on 1800 333 000

Four times over limit

AN alleged drink-driver was reported after blowing four times the legal limit at Port Lincoln.

The man was stopped by police about 12.30am on Monday.

He was tested, and allegedly returned a blood alcohol reading of .204.

Police also discovered his licence was disqualified.

The 30-year-old Victorian man lost his licence for 12 months, on top of his disqualification, and the car was impounded for 28 days.

The man will be summonsed to appear in court.



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SEALINK

- (7) If a training contract is terminated during the probationary period, the employer under the contract must, within 7 days of the termination, notify the Commission in writing of the termination.

Maximum penalty: \$5 000.

Expiation fee: \$315.

52—Transfer of training contract to new employer

- (1) A change in the ownership of a business (or part of a business) does not result in the termination of a training contract entered into by the former owner but, where a change in ownership occurs, the rights, obligations and liabilities of the former owner under the contract are transferred to the new owner.
- (2) If a training contract is transferred or assigned from 1 employer (the *former employer*) to another (the *new employer*) (whether by subsection (1) or otherwise), both the former employer and the new employer must, within 21 days of the transfer or assignment, notify the Commission in writing of the transfer or assignment.

Maximum penalty: \$5 000.

Expiation fee: \$315.

53—Offence to exert undue influence etc in relation to training contracts

- (1) A person must not exert undue influence or pressure on, or use unfair tactics against, a person in relation to entering into a training contract.

Maximum penalty: \$5 000.

- (2) A person must not exert undue influence or pressure on, or use unfair tactics against, a party to a training contract in relation to—

- (a) the making of an application to the Commission in relation to the contract under section 49(5); or
- (b) variation of the contract; or
- (c) the transfer or assignment of the contract from 1 employer to another; or
- (d) the termination or suspension, or purported termination or suspension, of the contract.

Maximum penalty: \$5 000.

54—Termination/expiry of training contract and pre-existing employment

If a training contract is entered into between an employer and a person who is already in the employment of the employer, the termination, or expiry of the term, of the training contract does not of itself terminate the person's employment with the employer.

RELEASE IN PART

OFFICIAL: Sensitive – Personal Privacy

MINUTE



Government of South Australia
Office of the Commissioner
for Public Sector Employment

MINUTES forming ENCLOSURE to

File: OCPSE19/0039

TO: TREASURER

SUBJECT: COMPLAINT FROM MR BRADLEY JOHNSON

PURPOSE

To update you on the matter relating to the cessation of employment for Mr Bradley Johnson, a former trainee employed within the electoral office of the Hon Tony Piccolo MP.

BACKGROUND

Mr Johnson wrote a letter of complaint addressed to the Hon Peter Malinauskas, Leader of the Opposition alleging he was bullied throughout his employment within Mr Piccolo's office, culminating in Mr Johnson allegedly being "forced" to resign prior to the successful end of his traineeship.

You have provided me with a copy of Mr Johnson's complaint and requested my advice as to whether there may be a breach of the *Training and Skills Development Act 2008* (T&SD Act) in relation to the circumstances in which Mr Johnson resigned from his traineeship.

DISCUSSION

While reviewing Mr Johnson's employment arrangements it has become apparent that he was purportedly engaged as an employee of the Department for Treasury and Finance (DTF) and placed in a ministerial office, rather than engaged directly by the Premier or Minister under sections 71 or 72 of the *Public Sector Act 2009*. If accurate, this effectively means the employing authority for his traineeship was the Chief Executive, DTF.

Mr Johnson's status as a public sector employee was not known to me until my office had the opportunity to review his contract of employment (**Attachment 1**). Consequently, it would be appropriate for you to consider referring any review of this matter to the Chief Executive of DTF.

clause 10(1)

[REDACTED]
[REDACTED] As such, I am awaiting advice from the Crown Solicitor's

Office on these issues,
the Act.

Should you have any queries, please contact me on [REDACTED] or [REDACTED] clause 6(1)
erma.ranieri@sa.gov.au.

OFFICIAL: Sensitive – Personal Privacy

RECOMMENDATIONS

It is recommended that you:



1. Note the content on this briefing, and consider referring this matter to the Chief Executive, Department for Treasury and Finance.

Noted

2. Note that I will update you further once I receive advice from the Crown Solicitor's Office in relation to [REDACTED]

clause 10(1)

Noted

 Erma Ranieri COMMISSIONER FOR PUBLIC SECTOR EMPLOYMENT 27 / 8 /2021	 Hon Rob Lucas MLC TREASURER 17 / 9 /2021
---	--

Attachments:

1. Contract of employment – Mr Bradley Johnson

Prepared by: Sarah Vinall
Telephone: 0466 925 652

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MINUTE



Government of South Australia

**Office of the Commissioner
for Public Sector Employment**

MINUTES forming ENCLOSURE to

File: OCPSE19/0039

TO: TREASURER

SUBJECT: COMPLAINT FROM MR BRADLEY JOHNSON

PURPOSE

To provide you with further information based on advice from the Crown Solicitor's Office (CSO) in relation to the separation of Mr Bradley Johnson, a former trainee employed within the electoral office of the Hon Tony Piccolo MP.

BACKGROUND

Mr Johnson wrote a letter of complaint addressed to the Hon Peter Malinauskas, Leader of the Opposition alleging he was bullied throughout his employment within Mr Piccolo's office, culminating in Mr Johnson allegedly being "forced" to resign prior to the successful end of his traineeship.

You have provided me with a copy of Mr Johnson's complaint and requested my advice as to whether there may be a breach of the *Training and Skills Development Act 2008* (T&SD Act) in relation to the circumstances in which Mr Johnson resigned from his traineeship.

DISCUSSION

The CSO has recently provided me with legal advice



clause 10(1)

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[REDACTED]

On this basis, it is possible that, if the complaints raised by Mr Johnson were investigated and found to be proven, the Hon Tony Piccolo MP could be found to have breached [REDACTED]. Please note I make no assessment of the evidence in that regard, rather I recommend that DTF, as the employing agency for Mr Johnson, investigate the matter.

In the event that DTF seeks legal advice or assistance in respect of any such investigation from the CSO, I anticipate that the CSO will opt to give TI10 approval to refer the matter to external solicitors.

Should you have any queries, please contact me on [REDACTED] or erma.ranieri@sa.gov.au.

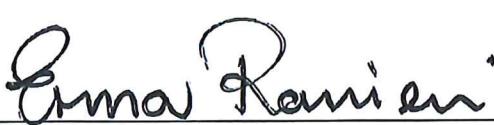

clause 6(1)

RECOMMENDATIONS

It is recommended that you:

1. Note the advice of the Crown Solicitor's Office within this briefing, and consider referring this matter to the Chief Executive, Department for Treasury and Finance for further consideration.

NOTED

 Erma Ranieri COMMISSIONER FOR PUBLIC SECTOR EMPLOYMENT 16 / 9 /2021	 Hon Rob Lucas MLC TREASURER 17 / 9 /2021
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Prepared by: Sarah Vinall
Telephone: 0466 925 652

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