



Australian Government
**Department of Employment
and Workplace Relations**

Our Ref: EC24-000638

The Secretary
Education and Employment Legislation Committee
Parliament House
CANBERRA ACT 2600

Corrections to Evidence — Additional Estimates 14 February 2024

I am writing in relation to the Additional Estimates hearing held on 14 February 2024 before the Education and Employment Senate Estimates Legislation Committee.

On behalf of the Department of Employment and Workplace Relations and associated portfolio entities, I attach clarifications to the evidence provided to the Committee at these hearings (Attachment A).

Yours sincerely

Ms Penny Edwards
Assistant Secretary
Parliamentary and Governance Branch

22 March 2024

Corrections to Evidence from 2023–24 Additional Estimates hearing 14 February 2024

Witness Name: Bridie Cosgriff

Date: Wednesday, 14 February 2023

Hansard Reference: Page 15

Evidence Correction: On the topic of How many people to date has the department identified were underpaid

The Hansard states: we're still working through the calculations for the period up to 11 December 2022

The corrected statement is: we're still working through the calculations for the period up to 11 December 2023

Witness Name: Henry Jones

Date: Wednesday 14 February 2024

Hansard Reference: Page 65

Evidence Correction: On the topic concerning timeframes for temporary suspension from a digital platform

The Hansard states: Secondly, there is also the ability for the platform to stand them down for a certain amount of time—seven days—to do an investigation if there's a particular issue there.

The corrected statement is: Secondly, there is also the ability for the platform to stand them down for a certain amount of time—up to seven business days—to do an investigation if there's a particular issue there.

Witness Name: Sarah Godden

Date: Wednesday 14 February 2024

Hansard Reference: Page 66

Evidence Correction: Definition of casual employment

The Hansard states:

The core definition is that two things need to be satisfied. One is that there is a firm advance commitment to continuing and indefinite work.

The corrected statement is:

The core definition is that two things need to be satisfied. One is that there is an absence of a firm advance commitment to continuing and indefinite work.

Witness Name: Anna Booth

Date: Wednesday 14 February 2024

Hansard Reference: page 99

Evidence Correction:

On the topic of FWO's litigations relating to migrant workers in the current financial year

The Hansard states:

Ms Booth: The circumstances that you are outlining are exactly the reason why migrant workers, particularly temporary migrants, are one of our enduring priorities at the Fair Work Ombudsman. Temporary migrants make up around seven per cent of the Australian workforce but they account for **22 per cent** of all the litigations that the Fair Work Ombudsman commences.

The corrected statement is:

Ms Booth: The circumstances that you are outlining are exactly the reason why migrant workers, particularly temporary migrants, are one of our enduring priorities at the Fair Work Ombudsman. Temporary migrants make up around seven per cent of the Australian workforce but they account for **21 per cent** of all the litigations that the Fair Work Ombudsman commences.

Witness Name: Anna Booth

Date: Wednesday 14 February 2024

Hansard Reference: page 99

Evidence Correction:

On the topic of migrant worker anonymous reports

The Hansard states:

Ms Booth: The circumstances that you are outlining are exactly the reason why migrant workers, particularly temporary migrants, are one of our enduring priorities at the Fair Work Ombudsman. Temporary migrants make up around seven per cent of the Australian workforce but they account for 22 per cent of all the litigations that the Fair Work Ombudsman commences. That is for the current financial year—so it is only six months—to December 2023, so it is a big number. Seven commenced. They were 43 per cent of all court ordered penalties. An amount of \$1,322,052 has been recovered in penalties. Interestingly, they also make up 24 per cent of all anonymous reports received, and **1,983 of those are in the language of the person who is making the report.**

The corrected statement is:

Ms Booth: The circumstances that you are outlining are exactly the reason why migrant workers, particularly temporary migrants, are one of our enduring priorities at the Fair Work Ombudsman. Temporary migrants make up around seven per cent of the Australian workforce but they account for 22 per cent of all the litigations that the Fair Work Ombudsman commences. That is for the current financial year—so it is only six months—to December 2023, so it is a big number. Seven commenced. They were 43 per cent of all court ordered penalties. An amount of \$1,322,052 has been recovered in penalties. Interestingly, they also make up 24 per cent of all anonymous reports received **(1,983)**, and **450 of those are in the language of the person who is making the report.**

Witness Name: Murray Furlong

Date: Wednesday 14 February 2024

Hansard Reference: Page 100

Evidence Correction: Explanation of the Better Off Overall Test

The Hansard states:

Mr Furlong: The answer to that question is that there would be an award that they will refer to in terms of the application of the better off overall test. Through that process, they will determine whether or not that agreement as made is better off overall than the underpinning **agreement**.

The corrected statement is:

Mr Furlong: The answer to that question is that there would be an award that they will refer to in terms of the application of the better off overall test. Through that process, they will determine whether or not that agreement as made is better off overall than the underpinning **award**.

Witness Name: Belinda Campbell

Date: Wednesday, 14 February 2024

Hansard Reference: Page 109

Evidence Correction: On the topic of change in apprentices in training between 30 June 2022 to 30 June 2023

The Hansard states:

By **49.7 per cent** overall. But, in terms of the change in the numbers, which was around 50,000 difference, 80 per cent of that change was in non-trade occupations.

The corrected statement is:

By **12 per cent** overall. But, in terms of the change in the numbers, which was around 50,000 difference, 80 per cent of that change was in non-trade occupations.

Witness Name: David Turvey

Date: Wednesday, 14 February 2024

Hansard Reference: Page 116

Evidence Correction: On the topic concerning the top tier of the framework for temporary skilled migration

The Hansard states: They start with the higher income occupations, so above **\$130,000** where there'll be no list of occupations, and the employers can sponsor workers with some general conditions and relatively rapid visa processing.

The corrected statement is: They start with the higher income occupations, so above **\$135,000** where there'll be no list of occupations, and the employers can sponsor workers with some general conditions and relatively rapid visa processing.

Witness Name: Anna Faithfull

Date: Wednesday, 14 February 2024

Hansard Reference: Page 124

Evidence Correction: On the topic of higher apprenticeships and degree apprenticeships.

The Hansard states: We've heard from industry that there is a real need for that additional classification within the **Australian classification framework** and for the ability, on the higher education side, for people to have access to on-the-job skilling.

The corrected statement is: We've heard from industry that there is a real need for that additional classification within the **Australian Qualifications Framework** and for the ability, on the higher education side, for people to have access to on-the-job skilling.