

**Senate Standing Committee on Education Employment and Workplace
Relations**

**QUESTIONS ON NOTICE
Inquiry into the Fair Work Amendment Bill 2012**

Outcome 4 – Workplace Relations and Economic Strategy

Senator Back asked in writing on 21 November 2012

Question

Recommendations that received ‘consensus’ support from stakeholders

Senator BACK: Were there any other recommendations that received a ‘consensus’ of support from stakeholders?

- a. If so, please identify these recommendations.
- b. Why were these recommendations not acted on?

Answer

No. The matters contained in the Fair Work Amendment Bill 2012 (the Bill) represent all of the recommendations that require legislative amendments on which there was broad consensus among stakeholders.

In addition, there is one recommendation which also received broad support but does not require legislation and so is not included in the Bill. That is Recommendation 44. In his announcement on 15 October 2012 Minister Shorten indicated that the first tranche response included Recommendation 44: *‘The Panel recommends that the FWA President give consideration to requiring applicants to provide more information about the circumstances of the dismissal in the initial documentation lodged with FWA’.*

**Senate Standing Committee on Education Employment and Workplace
Relations**

**QUESTIONS ON NOTICE
Inquiry into the Fair Work Amendment Bill 2012**

Outcome 4 – Workplace Relations and Economic Strategy

Senator Back asked on 21 November 2012

Question

Briefing on individual flexibility arrangements

Senator BACK: I ask you to take your mind back a couple of years. I am speaking now of former minister, Minister Evans. Did the department provide any briefing to Minister Evans on the 28-day period in relation to individual flexibility agreements? Can you give us any advice on that?

Mr Kovacic: I would have to take that on notice.

Senator BACK: All right. At that time I think Minister Evans said that he regarded this as a disincentive, which leads me to the question of whether the government stands by Senator Evans's comment. So, if you could take that on notice as well—

Answer

The Department did provide briefing to Minister Evans on the 28 day period in relation to individual flexibility agreements.

The Department is not aware of any comments by Minister Evans where he indicated that he regarded the 28 day period as a disincentive.