

## Senate Standing Committee on Education and Employment

### QUESTIONS ON NOTICE Additional Estimates 2015 - 2016

#### Agency - Fair Work Commission

Department of Employment Question No. EMSQ16-000230

Senator McKenzie provided in writing.

#### Question

##### FWC - Penalty Rates Case

Advertisements were recently placed in newspapers inviting members of the public to put their views to the current Fair Work Commission review of penalty rates.

- a. Which papers were these advertisements in?
- b. Who authorised the placing of these advertisements?
- c. What was the rationale for advertising in this way?
- d. Does the Commission intend to admit the views of those that respond to the advertisements into evidence or treat them as submissions?
- e. Does the FWC intend to call any individual who puts forward a position to give evidence?
- f. If the FWC intends to rely on these views, does the FWC intend to provide parties with an opportunity to cross examine those that respond to the query?

#### Answer

- a. Advertisements were printed in 20 January 2016 edition of the following newspapers:
  - i. The Adelaide Advertiser,
  - ii. The Australian,
  - iii. The Australian Financial Review,
  - iv. The Brisbane Courier Mail,
  - v. The Canberra Times,
  - vi. The Daily Telegraph,
  - vii. The Herald Sun,
  - viii. The Hobart Mercury,
  - ix. The Age,
  - x. The Sydney Morning Herald, and:
  - xi. The West Australian
- b. The placing of these advertisements was authorised by the Director of the Tribunal Services branch, Murray Furlong, at the request of the Full Bench.
- c. The advertising followed the Further Revised Directions issued by the Full Bench on 15 January 2016. These Directions can be found at <https://www.fwc.gov.au/documents/decisionssigned/html/2016FWCFB285.htm>.
- d-f It is a matter for the Full Bench to determine how the matter proceeds.