

Senate Standing Committee on Education and Employment

QUESTIONS ON NOTICE Additional Estimates 2016 - 2017

Agency - Fair Work Commission

Department of Employment Question No. EMSQ17-001469

Senator Cameron asked on 02 March 2017 on proof Hansard page 11

Question

FWC - Contested applications

Senator CAMERON: Sorry; I missed that.

Ms O'Neill: I do not have information about the current year. I can advise that in 2015-16 there were a total of 403 applications to terminate enterprise agreements across all industries.

Senator CAMERON: Have any of those applications been contested applications?

Ms O'Neill: I will have to take that on notice, but there have been a couple of instances that have attracted a degree of media interest around applications to terminate enterprise agreements.

Answer

The Fair Work Commission does not capture discrete data in its case management system regarding whether applications to terminate enterprise agreements are contested.

A paper based review of decisions issued in 2015–16 concerning termination of enterprise agreements indicates that less than 3% of applications were contested.