

Senate Standing Committee on Education and Employment

QUESTIONS ON NOTICE Additional Estimates 2016 - 2017

Agency - Fair Work Commission

Department of Employment Question No. EMSQ17-001475

Senator Roberts asked on 02 March 2017 on proof Hansard page 19

Question

FWC - Pay rise dispute in enterprise agreements

Senator ROBERTS: Perhaps I could get on to something else. I have been looking at the door quite a bit; I have been expecting some details, but unfortunately they have not arrived. I have one question to ask. I am apologising in advance for my lack of details on this question, but it is a broader question. I understand that there is a union operating nationally and it has come to an agreement with, I think, TasPorts in Tasmania. Their members accepted last year a two per cent pay rise and they are happy to just get on with it and sign an EA and go. However, they have been denied that rise because apparently a larger union, the MUA, is negotiating and hanging out for a three per cent pay rise with TasPorts. The members of the smaller union, the AIMPE, do not have the pay rise that they were happy to settle on sometime last year. How do those things get resolved these days? Is this a big union cuddling up to big business to control the smaller union?

Ms O'Neill: I might actually take that on notice, if you do not mind.

Senator ROBERTS: Excuse me for interrupting but, perhaps when I get more details, I could forward them. So I put that on notice to you.

Answer

The question appears to relate to proceedings that are presently before the Fair Work Commission (Commission) that are listed for hearing on 4 and 5 April 2017. These proceedings involve an application made by the Australian Institute of Marine and Power Engineers for a scope order and an application made by Tasmanian Ports Corporation Pty Ltd T/A TasPorts for a scope order.

Scope orders are dealt with in ss.238 – 239 of the *Fair Work Act 2009*. A scope order must specify the employer or employers to be covered by an agreement and the employees who will be covered by the agreement.

If this matter requires a formal decision, it will be published on the Commission's website.