

Senate Standing Committee on Education and Employment

QUESTIONS ON NOTICE Additional Estimates 2016 - 2017

Agency - Fair Work Ombudsman

Department of Employment Question No. EMSQ17-001493

Senator Marshall asked on 02 March 2017 on proof Hansard page 46

Question

FWO - Transport Workers Union contract releasing the application

Senator MARSHALL: On the same issue: whose decision was it not to release the app?
Ms James: I will need to take that on notice. It is a good point. They were producing the product, but we and the RSRT were stakeholders in its release. I have already outlined that the RSRT had some concerns at a particular point. I will need to check whether the TWU have the capacity to release it irrespective of that. I will need to take that on notice. It is not uncommon with material for us to clear material for release to make sure that it is appropriate and accurate, so to speak, so I will take that on notice as well.
Senator MARSHALL: Thank you.

Answer

The Fair Work Ombudsman (FWO) provided the Transport Workers Union (TWU) with approval to launch the App on 21 January 2015 and plans were made to launch the App in early May 2015.

In May 2015, the Road Safety Remuneration Tribunal (RSRT) raised concerns that it had not had an opportunity to review the final version of the App and the launch plans were accordingly postponed.

In August 2015, before a revised release date could be confirmed, the FWO became aware that a new Road Safety Remuneration Order (RSRO) was imminent when a draft of the second RSRO was published. As a result, the launch of the App was postponed in order to incorporate information about the second RSRO. The FWO did not seek to terminate the contract with the TWU because the intention was to deliver the App once it was suitable for release.

In January 2016, following the making of the second RSRO, the FWO provided further feedback on the App to the TWU. As at 21 April 2016, when the *Road Safety Remuneration Act 2012* was repealed, the FWO was in dialogue with the TWU to settle the final version of the App.

Following the abolition of the RSRT, release of the App in these circumstances was not considered appropriate.