

Senate Standing Committee on Education and Employment

QUESTIONS ON NOTICE Additional Estimates 2016 - 2017

Outcome 2 - Workplace Relations and Economic Strategy

Department of Employment Question No. EMSQ17-001547

Senator Marshall provided in writing.

Question

Senate Committee's Inquiry into Corporate avoidance of the FWA.

The Department made a submission to the Senate Committee's inquiry into Corporate avoidance of the FWA.

Is the Department able to break down that data to separate agreements which were terminated after the expiry date, agreements which were terminated while still in force (ie by agreement), and how many applications for termination were made by employers vs employees or employee representatives?

Has the Department collated the same data for Q4 2016? If not, when will that be available? Does the Department have data on how many applications for termination are currently before the Commission? If so, which industries are covered by the agreements, how many employees are covered by each agreement?

Answer

Of all agreements terminated between 1/1/14 and 30/9/16, 713 agreements (84%) were terminated after passing their nominal expiry date and 133 agreements (15.72%) were terminated before their nominal expiry date.

The Department does not have information about whether or not the agreement has been terminated when it is 'in-force'. An agreement can continue to be operational after its notional expiry date, and the Department has no information on the operational status of expired agreements.

The Department does not have data about which party to the agreement applied for the agreement to be terminated. The Fair Work Commission has this data.

The September Quarter 2016 data is the latest available data. December Quarter data will be available in April 2017.

The Department does not collect data on how many applications for termination are currently before the Commission. The Fair Work Commission has this data.