

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. EMSQ17-001583

Senator Cameron asked on 02 March 2017 on proof Hansard page 121 -125

Question

Penalty Rates Instruction email

Senator CAMERON: I will move now to the penalty rates cuts. What work has the government asked the department to undertake regarding the provisional transition process set out in the Fair Work Commission decision, Minister?

Senator Cash: I have instructed the department to prepare a submission in accordance with the request from the commission in its decision.

...

Ms Leon: I would not necessarily get a written instruction, but I have certainly had a specific instruction from the minister that the department should start work, and I translated that instruction into writing and sent it to the relevant staff in the department.

Senator CAMERON: Can I have a copy of that?

Ms Leon: Certainly. I do not have it with me, of course, but I am happy to take that on notice and provide it.

Senator CAMERON: That is a copy of that instruction.

Ms Leon: Yes. It was done by email.

...

Senator CAMERON: I am not going to try to relitigate this crazy decision that is creating hardship for workers across the country. That has been conceded, so I will not relitigate it.

Senator Cash, when did you ask the government to prepare a submission?

Senator Cash: When did I ask the government?

Senator CAMERON: Sorry, the department.

Senator Cash: I will have to take on notice exactly when we provided the instruction, but we have been talking with the department since day one. Literally, the decision came down, and my staff have talked to them on an ongoing basis in terms of the decision, what is required of the government et cetera, so there has been a constant dialogue with the department.

...

Ms Leon: But there was a formal instruction in the last couple of days. I am happy to get the exact date.

Senator CAMERON: That would be handy. You can take that on notice and let us know when you believe you had the go-ahead.

Answer

The Minister formally requested the Department to prepare a submission on 1 March 2017. A copy of an email from the Secretary of the Department to officials informing them of this request is at [Attachment A](#).