

PDR No	Hansard Sequence Number	Senator	Outcome	Subject	Full Question Text
EMSQ17-001946	2-10-1	Abetz, Eric	Agency - Fair Work Commission	FWC - Most Junior Member of the Fair Work Commission bench	Senator ABETZ: Can you please take it on notice and tell us whether, at the time Commissioner Jones was appointed, she was the most junior member of the Fair Work Commission bench? That is all I am seeking to get to.
EMSQ17-001949	2-12-1	Abetz, Eric	Agency - Fair Work Commission	FWC - Comments on Proceedings in the Federal Court	Senator ABETZ: But this is dealing with one of the deputy presidents of the Fair Work Commission who has told you that there was some adverse judicial comments made- Justice Ross: No, she said it would be an issue in the proceedings. Senator ABETZ: In which proceedings? Justice Ross: In the proceedings in the Federal Court. She said that it would be raised in the proceedings. Senator ABETZ: So she has not told you about the actual commentary by your fellow Judge of the Federal Court in relation to these matters? She has not reported that to you? Justice Ross: Not that I can recall. Senator ABETZ: And nobody has reported those comments of, I think, Justice Jessup-is that correct, Ms Carruthers? Ms Carruthers: I would have to take that on notice. It is a matter that Mr Enright is handling.
EMSQ17-001951	2-13-1	Abetz, Eric	Agency - Fair Work Commission	FWC - Money spent by Fair Work Commission on Media Monitoring	Senator ABETZ: That is fine. Can you take on notice for me, please, Ms Carruthers, how much, if any, money is spent by the Fair Work Commission on media monitoring, media clips et cetera. Ms Carruthers: Certainly. Do you mean in general or on this particular- Senator ABETZ: Yes, in general. Ms Carruthers: Yes, we do have a media monitoring service.
EMSQ17-001955	2-14-1	Cameron, Doug	Agency - Fair Work Commission	FWC - Resignations	Senator CAMERON: You indicate in clause 7 that you foreshadowed in correspondence to the minister in December 2015 that there would be further statutory retirements. Could you table that correspondence? Justice Ross: It is not my practice to table correspondence. The purpose in referring to that issue is to indicate that it was not unexpected. My reluctance to table the correspondence is that it also deals with other issues which are not related to this issue. The point I wanted to make there was simply that these resignations were anticipated. Senator CAMERON: Could you table redacted correspondence? Senator Cash: Senator Cameron, perhaps President Ross and I can take it on notice and consider whether or not it is appropriate, given the statements that President Ross has just made. We will take it on notice and have a look at it for you. Senator CAMERON: It is for redacted correspondence. Senator Cash: Yes, for redacted correspondence. Senator CAMERON: I am not interested in anything else. Senator Cash: Understood. President Ross can take

					it on notice and have a better look at it so that we do not compromise President Ross in any way.
EMSQ17-001958	2-15-1	Cameron, Doug	Agency - Fair Work Commission	FWC - Superannuation Arrangements for Fair Work Commission Members	Senator CAMERON: And a former deputy president would retire on \$251,376 per annum. Justice Ross: Each of those presidential members, though, are presidential members who were appointed under the former Workplace Relations Act. There are different superannuation arrangements that apply to presidential members appointed under the Fair Work Act. Senator CAMERON: Maybe you could, on notice, provide us with what the differences are. Justice Ross: I do not think there is any pension provided at all to presidential members appointed under the Fair Work Act. Senator CAMERON: They would have an accumulation pension, would they? Ms Carruthers: It is a superannuation accumulation plan.

<p>EMSQ17-001959</p>	<p>2-15-2</p>	<p>Cameron, Doug</p>	<p>Outcome 2 - Workplace Relations and Economic Strategy</p>	<p>Correspondence regarding Superannuation Arrangements for Fair Work Commission Members</p>	<p>Senator CAMERON: It is not uncommon then, as you indicate in 10, that presidential members reach a position where former Vice President Watson can retire on \$272,544 per annum. It is not uncommon for those presidential members then to retire. Minister, clause 10- Senator Cash: Of the president's statement about early departures by presidential members? Senator CAMERON: Yes, of Justice Ross's tabled document. It indicates there that a former vice president wrote to the minister in 2015 regarding concerns with taxation issues relating to the judges' pension payable to members which could affect consideration as to the timing of their retirement. Are you aware of that correspondence, Minister? Senator Cash: Can I take that on notice? Unfortunately I do not have any information in relation to me in relation to that correspondence. Senator CAMERON: Secretary, are you aware of that correspondence? Ms Leon: I recall that the minister received the correspondence but I cannot recall if it was when Senator Abetz or Senator Cash was the minister. Senator Cash: Hence why we will need to take it on notice. Senator CAMERON: Minister, when were you appointed minister? Senator Cash: September-October 2015. I am not quite sure when the letter was. Ms Leon: It may have been when Senator Abetz was minister. Senator CAMERON: Ms Leon, was this correspondence that went directly to the minister? Senator Cash: Unfortunately it was in 2015. We would have to take that on notice to have a look at it. Ms Leon: I think it was but I would have to take it on notice. Senator CAMERON: I am not asking if you gave any advice on this, but were you asked for any advice, whether it was by Minister Abetz or Minister Cash? Were you asked for any advice on this? Ms Leon: When correspondence comes to the minister-unless it is party political correspondence, in another capacity-any correspondence that comes to the minister is usually referred to the department, and then we ordinarily would prepare a brief and a draft reply for the minister to consider. I believe that normal practice was followed in relation to that letter. My recollection about it-and I stand to be corrected on notice, because it is a couple of years ago now-is that it concerned matters to do with the way the superannuation surcharge applies to people who are going to receive the judges' pension. There were some complexities about that, and we would have had to advise the minister what those were. But it is now a couple of years ago, so my memory is not strong. Senator CAMERON: On notice, can you provide details of not only the letter but also the draft correspondence. Did a letter go back? Ms Leon: If my</p>
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					<p>advice is correct, the letter would have gone to the Treasurer, saying, 'Can you please respond to this.' Ordinarily, in those circumstances-although I do not attest from memory as to whether this occurred-we would write to the person who wrote and say, 'Thank you for your letter, but the matter concerns a taxation issue, and so I have referred it to the Treasurer for reply to you direct.'</p> <p>Senator CAMERON: Could you provide all correspondence in relation to this letter between you, whatever minister it was and the Treasurer? Ms Leon: Yes, I will take that on notice.</p>
EMSQ17-001961	2-16-2	Cameron, Doug	Agency - Fair Work Commission	FWC - Pensions - Members of the Industrial relations Commission	<p>Senator CAMERON: Justice Ross, could I ask you as well to provide copies of any correspondence you have in relation to this matter? Justice Ross: I can probably indicate that I am pretty sure I do not have any copies of correspondence, but I will ask my associate to search my records.</p>
EMSQ17-001947	2-25-2	Marshall, Gavin	Outcome 1 - Employment	Individual Risk Assessment for Work for the Dole site	<p>Senator MARSHALL: The letter also states that there was an individual risk assessment conducted by the jobactive provider for the participants. Could you provide that assessment, on notice? Ms Leon: I will take that on notice.</p>

<p>EMSQ17-001948</p>	<p>2-26-2</p>	<p>Marshall, Gavin</p>	<p>Outcome 1 - Employment</p>	<p>Risk Assessments and Safety in Work for the Dole Program</p>	<p>Senator MARSHALL: So it is a no. 'No' would have been just fine, then. What has been changed in how the Work for the Dole program handles risk assessments and safety since this incident? Ms Milliken: The Work for the Dole activity has quite a substantial risk framework underpinning it already. As I think- Senator MARSHALL: Should I ask the question again? What has been changed in how the Work for the Dole program handles risk assessments and safety since this incident? What has changed? If there has been no change, just say that. Ms Leon: We are constantly revisiting the work health and safety framework. We issue guidance to providers all the time. Senator MARSHALL: So what has changed? Ms Leon: I would have to take that on notice. There would have been myriad changes since then. I would have to take on notice what they have all been. What was the date of that incident? Ms Milliken: Late last year-approximately October. Ms Leon: It was October last year, so in the nearly six months since there would potentially have been numerous changes. I would have to take on notice what they have all been. Ms Milliken: I can specifically say- Senator MARSHALL: What has changed in how the Work for the Dole program handles risk assessments and safety since this incident? You will take that on notice and you will give me a list, will you, of all those things that are constantly changing? Ms Milliken: I can say that the department issued a reminder to all Jobactive providers in December reminding them of the need to be aware of asbestos and to take that into account in risk assessments and in the management of activities and that occurred specifically after the identification of the nonfriable asbestos at the Torrensville site. Senator MARSHALL: And not to take down warning signs. Senator Cash: To be fair, I know exactly what you are asking for. The department are providing some information but not all of it. We will get the department to look at exactly what changes have been made and ensure that the committee is provided with that. Would you like to see all changes made, not just as a result of this incident? Senator MARSHALL: Yes. If you could point to any of that were made as a result of this incident, that would be very good.</p>
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<p>EMSQ17-001950</p>	<p>2-27-3</p>	<p>Marshall, Gavin</p>	<p>Outcome 1 - Employment</p>	<p>Penalties for jobactive Providers</p>	<p>Senator MARSHALL: Were there any penalties applied in this instance? Ms Milliken: Could I clarify, penalties in respect of- Senator MARSHALL: Any penalties, I suppose, the penalties to the provider or anything. Mr Hehir: We would probably just need to clarify that and take it on notice. I am not sure if the supervisor being referred to was an employee of the host with which we have no relationship, whether he was an employee of the provider or an employee of Work for the Dole coordinator who did the assessment. I just need to check and see where the actual claim is against a particular individual and who employs them. Senator MARSHALL: Have you penalised anyone as a department? Is this provider still providing these services but elsewhere? Mr Hehir: This provider is a provider that has a reasonable level of business. They have been providing employment services for many years. They continue to provide services in a number of locations around Australia. Senator MARSHALL: Check the signage first though; make sure it is not taken down. Mr Hehir: If indeed it was an employee of the provider then I will see what action has been taken. It is entirely possible, if the supervisor was an employee of the host, which is frequently the case, we would have had no relationship with them.</p>
<p>EMSQ17-001952</p>	<p>2-27-4</p>	<p>Marshall, Gavin</p>	<p>Outcome 1 - Employment</p>	<p>jobactive Provider - NEATO</p>	<p>Senator MARSHALL: I am sure it will. Did the department have any concerns about the service provider and NEATO? What workplace health and safety concerns did the department have about NEATO the service provider before the incident? Mr Hehir: I will need to take that on notice; there is nothing in front of me about any concerns prior to the incident. Senator MARSHALL: Do you know whether they were ever asked to improve the workplace health and safety practices? You do not? Mr Hehir: I am just trying to tee up the sequencing. Prior to the incident, as part of a national exercise, we had been undertaking an audit of 200 sites. Neato had a number of sites that were part of that audit process, so it is possible that they had received feedback, prior to that incident, from the audit process. I would need to check the timing. Senator MARSHALL: All right; if you can take that on notice, that would be good. Also: if they were asked to improve their practices, what did you do as a response to that? Did you follow up with that? Did they respond satisfactorily? Mr Hehir: Yes, I can.</p>

EMSQ17-001953	2-29-2	Marshall, Gavin	Outcome 1 - Employment	Work for the Dole Outcomes	Mr Hehir: May I add to that briefly? As both the secretary and the minister said, Work for the Dole is one of a suite of activation measures. It is important as a core activation measure and occupies about 20-odd per cent of activation overall in the Work for the Dole phase. What we see in the Work for the Dole phase, which occurs from 12 months in-so you have to be within the jobactive for 12 months before you are required to do Work for the Dole-is approximately 21 to 22 per cent of people at any point in time, but we see 31 per cent of our job placements, and nearly 32 per cent of our 26-week outcomes, delivered from that phase. That is actually quite impressive because long-term unemployed, which are post that 12-month period, are harder to place and harder to get outcomes for. Senator MARSHALL: Can you put numbers to that, rather than percentages. Mr Hehir: I could do that on notice.
EMSQ17-001954	2-30-2	Marshall, Gavin	Outcome 1 - Employment	Work for the Dole Participation Numbers	Ms Leon: At the end of December 2016, there were 17,125 12-week outcomes that were claimed for jobseekers who had commenced in a Work for the Dole activity under jobactive and had been employed long enough to get to a 12-week outcome. Senator MARSHALL: Out of what total? How many people in 2016 participated in Work for the Dole? Ms Leon: I have to take that on notice. Senator MARSHALL: Okay.
EMSQ17-001956	2-31-2	Marshall, Gavin	Outcome 1 - Employment	Allocated Expenditure for Work for the Dole	Senator MARSHALL: What was the allocated expenditure for 2016-17? I am wondering whether that allocation has changed in MYEFO. Senator MARSHALL: The allocated expenditure for Work for the Dole in 2016-17, as at MYEFO, was \$189.3 million, so as at 2016-17 MYEFO. That is- Mr Hehir: Senator, I would need to check and see whether there is a technical adjustment based on take-up at MYEFO.

<p>EMSQ17-001957</p>	<p>2-31-3</p>	<p>Marshall, Gavin</p>	<p>Outcome 1 - Employment</p>	<p>Star ratings for jobactive Providers</p>	<p>Senator MARSHALL: How many of the 51 employment regions have a majority of one-star or two-star rated locations? Mr Hehir: I do not have that exact figure in front of me. I am sure my officer will be able to find it. My recollection is that there are in the order of six or so regions that have a majority of their providers rated at one or two. Senator MARSHALL: Right; so there are some. I am happy for you to take that on notice because what I really want to ask is what you are going to do about that. Are you going to review those locations to see whether you will reduce or cancel their contracts? Mr Hehir: As part of the contract, at the 18-month mark-that is, the December star ratings-we use those ratings to undertake a business reallocation process. We are in the middle of that business reallocation process now. Senator MARSHALL: When do you intend to complete that? Mr Hehir: We would normally communicate that with the providers in April. Senator MARSHALL: Were there any regions where the department considered the results to be particularly poor? Mr Hehir: Yes. Senator MARSHALL: How many? Mr Hehir: They are the six sites that I was referring to. Senator MARSHALL: Did you categorise another lot that were just poor? Actually, have you got a scaling system? Maybe you could explain that to me. Mr Hehir: The star rating system is a comparative system, so there are always going to be good and poor performers because it is not set against an absolute benchmark; it compares providers to each other. There will always be providers who are in the bottom end of the scheme versus the top end of the scheme. In fact, in the design of the current star rating system we made sure that we would see greater differentiation between the providers. The reason for that is that under JSA, according to my recollection, we had 85 per cent of contractors clustered around three-star. In terms of giving useful information to jobseekers, it was not performing the job. We do have much greater differentiation under the current methodology, which allows jobseekers to see which sites are providing better service compared to other sites. For the majority of regions we have both good and poor performing providers within them. There are some regions where the providers are generally strong and there are a small number of regions where the providers are performing poorly as a whole. I am happy to give you those on notice.</p>
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EMSQ17-001966	2-31-3	Marshall, Gavin	Outcome 1 - Employment	Work for the Dole/jobactive Outcomes	<p>Senator MARSHALL: Can you do a calculation for us on how much does this program cost per job found? Ms Leon: I do not think we can do that calculation, Senator, because when people get a job it is not possible for us to say that they got the job as a result of the Work for the Dole or as a result of the training that they did or as the result of- Senator MARSHALL: Let me word it in a different way: how many people who go off benefits-because you are measuring the program, so I want you to use those figures that you are measuring. Ms Leon: We measure the whole program. Senator MARSHALL: All right, so how many people that then go off benefits, divided by the amount that the program costs? What does it cost per person who goes off benefit? Ms Leon: We would have to apply that against the whole jobactive program, because Work for the Dole is not a separate program to jobactive. People who are participating in Work for the Dole - Senator MARSHALL: I just want you to do it for Work for the Dole. Ms Leon: Yes, but it is not a separate program, Senator- Senator MARSHALL: Isn't it? Ms Leon: so it is not possible to do the calculation. It is not a meaningful calculation. Senator MARSHALL: So the \$633 million we were talking about, that is not Work for the Dole? Ms Leon: But the people who are doing Work for the Dole are also in the jobactive program. It is only a component of a bigger program. I do not think I can attribute to Work for the Dole only the job outcomes that a person has three months later. Senator MARSHALL: If you cannot do the calculations, don't; I will do them myself. You just get me the information, and I can get a calculator and work it out. Ms Leon: Do you see the point about causality, Senator? Senator Cash: I do not think that is what the secretary was saying, Senator Marshall.</p>
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<p>EMSQ17-001960</p>	<p>2-33-2</p>	<p>Marshall, Gavin</p>	<p>Outcome 1 - Employment</p>	<p>jobactive Business Reallocation Process</p>	<p>Senator MARSHALL: Can you tell me what information was provided to existing providers outlining how the review of business reallocation process would be conducted? Mr Hehir: We provided them with an industry paper. Senator MARSHALL: Is that a public document? Mr Hehir: Yes. Senator MARSHALL: Can you point me to where I can find that. Senator Cash: We can get you a copy. Senator MARSHALL: If you could give me a copy, that would be good. Mr Hehir: Sorry, just to correct that, we have not published the document that was provided to the providers because it was sent to the providers for their feedback. Senator MARSHALL: All right. Can you- Mr Hehir: Can I take that on notice? I need to check and see what information is in there on the process. Senator MARSHALL: I am happy for you to do that, if it is identifying particular providers or other things. I am after the generic material, so I am happy to have it redacted. Senator Cash: We will take that on notice. Senator MARSHALL: When was that given out, do you know? Mr Hehir: The draft industry paper was released on 29 November. Senator MARSHALL: Were the providers given an opportunity to comment on it? Mr Hehir: That is why it was a draft industry paper-so, yes, they were. Senator MARSHALL: What was that process? Mr Hehir: They were given two weeks to provide feedback. Senator MARSHALL: What objections or recommendations were provided to you? Mr Hehir: Again, I would probably take that on notice. In general there was a split view-that we should defer the process for a further six months or not defer the process for a further six months. Senator MARSHALL: How did you respond to that split view? Mr Hehir: We went with the contracts. We went with the timing already advised in the contracts. Senator MARSHALL: Maybe on notice, if there were other recommendations that were provided, you could provide them to the committee. That would be useful. Mr Hehir: Yes.</p>
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EMSQ17-001962	2-34-2	Marshall, Gavin	Outcome 1 - Employment	Report from Sarina Russo	<p>Senator MARSHALL: I want to talk about the process of the information that was found in the garbage bin outside a Sarina Russo office. Is it correct that jobseeker information was left in an open bin outside a Melbourne office that belonged to Sarina Russo? Mr Hehir: Yes, that is correct. Senator MARSHALL: What investigation was undertaken after the information was found in public? Mr Hehir: We required Sarina Russo Job Access to provide us with a full report of what had occurred, the events that led up to it, and then we responded to that. Senator MARSHALL: So Sarina Russo did the report? Mr Hehir: That is the requirement. Under the deed, they are required to provide us with the information on what occurred, and then we can take an assessment of that. Senator MARSHALL: So that is considered an investigation? They investigated themselves. Did they find themselves not at fault? Mr Hehir: No- Senator Cash: I do not think that is what he is saying. Senator MARSHALL: But I will always give him an opportunity! Senator Cash: I know you will, Senator Marshall. Mr Hehir: The report identified some deficiencies that needed to be addressed. Senator MARSHALL: And that was the end of the matter? Mr Hehir: No. We issued a letter requiring them to improve their practices. It is a standard process we use. This is not the first time we have had a privacy breach. We issue reminders that they are required to maintain the privacy of their documentation and make sure they have systems in place. In this case, the information provided indicated it was human error rather than a systems error. However, we required them to fix some aspects of their systems, particularly around office movement. Senator MARSHALL: Can you give us a copy of their report to you and your response to them? Mr Hehir: Can I take that on notice? I would just like to check the document. Senator MARSHALL: Again, if it provides personal information, I am happy to accept a redaction, but, again, I would be insisting on that.</p>
EMSQ17-001963	2-35-2	Cameron, Doug	Outcome 1 - Employment	Compliance with jobactive Deed	<p>Senator CAMERON: Do you monitor their websites to make sure that their websites are accurate when they are trying to get government clients? Ms Leon: Do we regularly monitor their websites? No. Senator CAMERON: I did not say 'regularly'. I said 'do you monitor'. Ms Leon: When we are awarding the contract? Senator CAMERON: No, I did not say that. Is this very hard? Do you monitor the websites of the service providers? Mr Hehir: Not that I am aware of. Senator CAMERON: Easy, you see? So why not? These websites, in my view in relation to Neato, are presenting information to potential clients that are your clients that is not correct. Ms Leon: We require a provider to comply with</p>

					the deed. That is their obligation to us. We monitor their compliance with the deed. Senator CAMERON: So they can say anything they like. Is there nothing in the deed? Ms Leon: I am happy to take on notice and have look at whether there is anything on the Neato website that suggests they are not in compliance with the deed.
EMSQ17-001964	2-35-3	Cameron, Doug	Outcome 1 - Employment	jobactive Deed - Disclosure of information	Senator CAMERON: Under the deed would they-not Neato but anyone-be obliged to disclose any problem that breaches health and safety? Would they have to disclose that to potential clients? Ms Leon: Not that we are aware of. We would have to take on notice the specific question. No-one here is aware whether there is a specific requirement in the deed about disclosure of that issue. Senator CAMERON: Don't you think there should be a specific requirement that, if someone is killed when they have been engaged by Neato, there should be a disclosure? Ms Leon: The work health and safety investigation is still ongoing. Senator CAMERON: Let's talk in general, not about Neato. Do you think it would be appropriate, if there are health and safety issues with one of the providers, for that to be disclosed? Ms Leon: If there are work, health and safety issues with one of the providers, it is our responsibility to manage that provider in accordance with the terms of the contract. Senator CAMERON: But the contract does not go to any disclosure to potential clients. Ms Leon: I have taken on notice that question as to whether it has a specific provision about disclosure.
EMSQ17-001965	2-35-4	Marshall, Gavin	Outcome 1 - Employment	Privacy Breaches from jobactive Providers	Senator MARSHALL: Have there been any other privacy breaches with any providers? Mr Hehir: Yes. Senator MARSHALL: How many and who were they? Mr Hehir: I can take that on notice. Senator MARSHALL: If you are going to take it on notice then: who did the investigation, what did the investigation find, what was your response to that and what was then changed as a consequence. If you can actually provide those documents rather than just a summary, that would also be very good-again, accepting that you may need to redact stuff, I do want to know the names of the providers. I do not think that is a privacy issue, but if it goes to individuals in the investigation that is another matter. That is a lot of nodding, and there is no opposition to me describing it as nodding. Mr Hehir: Yes.

EMSQ17-003964	Written	Abetz, Eric	Agency - Fair Work Commission	FWC - Kitchen	1. Is there a kitchen next to the President's chamber in the Melbourne chambers? 2. Does the President personally avail himself of that facility? 3. Did the President ever note political or industrial material attached to the kitchen cupboards? 4. How long was the attached material displayed? 5. Who authorised the use of cupboards for the material to be displayed? 6. Does the Commission have a notice board for industrial messages? 7. Has any other industrial or political messages ever been posted on the cupboards to the President's knowledge? 8. Was any complaint received about materials being placed on the cupboards? a. If so, please advise any response or subsequent action that may have been taken.
EMSQ17-003965	Written	Abetz, Eric	Agency - Fair Work Commission	FWC - Agreements	1. Are enterprise agreements filed or approval (but not yet approved) published on the Fair Work Commission's website? a. If so, with what legislative or regulatory authority (if any) are they published? 2. When did the practice referred to above commence? 3. On whose suggestion was the practice referred to commenced? 4. Why? 5. When seeking approval for an enterprise agreement, does the relevant party need to file Forms F16 and F17? a. If so, are there numerous identical requests for information on both forms? b. Has consideration been given to combining forms F16 and F17? i. If not why not? 6. Was the privacy notice relating to F16 and F17 recently altered? a. If so, please state when and why? b. Prior to the alteration of F16 and F17, were these forms ever provided to third parties? c. If so was this in breach of any relevant privacy requirements?
EMSQ17-003966	Written	Abetz, Eric	Agency - Fair Work Commission	FWC - AM2014/35	Without commenting on the Commission's decision in AM2014/305, clarification is sought on some machinery matters: 1. Must the Commission conduct four yearly reviews of the modern awards pursuant to section 156 of the Fair Work Act? 2. Must the review decide whether an award achieves the Modern Awards Objective? 3. Are the Modern Award Objectives as set out in section 134 central to the review? 4. When was s134(da) inserted into the Act? a. Does it specifically require consideration of rates for weekend work? 5. Please advise all the parties (if any) which were involved in AM2014/35 which made submissions calling for a two year phase in of its outcome? 6. Does the Fair Work Commission have a practice of notifying parties in advance of when decisions are going to be delivered? a. If so, what is the basis of determining whether parties are to be notified? 7. In relation to AM2014/35: a. When was the public notified that the Fair Work Commission would hand down its decision? Specifying the date and time? b. When were the parties notified? c. In

					relation to a & b, please specify in what manner they were notified. d. Were other parties notified (either formally or informally - specifying which) of the pending decision? e. In relation to each such other party, please specify how they were notified.
EMSQ17-003967	Written	Marshall, Gavin	Outcome 1 - Employment	Work for the Dole - asbestos	1. Is the Department aware that the person who discovered the asbestos on a Work for the Dole site in Adelaide actually saw a supervisor take the asbestos warning sign down? 2. What has been changed in how the Work for the Dole program handles risk assessments and safety since this incident? 3. Were there any penalties applied after this incident was investigated?
EMSQ17-003968	Written	Marshall, Gavin	Outcome 1 - Employment	Work for the Dole - NEATO	Did the results of Department monitoring of NEATO's workplace health and safety practices within the Work for the Dole contract improve after they were asked to make changes to their practice, before the incident? How has NEATO's performance been measured and rated after the incident?
EMSQ17-003969	Written	Marshall, Gavin	Outcome 1 - Employment	Work for the Dole - WHS practices	Since the report (but also as a part of ongoing management and assurance practices) the Department has: written to all providers in August 2016 giving them results of the Ernst and Young onsite audits; held WHS discussions with providers; explained the internal processes for monitoring and investigating incidents. Has the Department actually changed practices in how it manages work health and safety outcomes within the Work for the Dole program specifically because of what was in the report? What practices? How? Have any of those "internal processes" actually changed, or just reiterated?
EMSQ17-003970	Written	Marshall, Gavin	Outcome 1 - Employment	Work for the Dole - consultation with providers regarding WHS practices	Has the Department started consulting with all other providers about specific findings of the report? Department said they just contacted CEO's of state-based providers to again remind "all providers about the importance of work health and safety requirements." Has there been discussion or direction around the specific findings of the report? Since the report was completed, has the Turnbull Government issued a direction to the Department that they should consult with all providers covering the findings of the report? How many other providers have been instructed to improve work health and safety in their Work for the Dole program since the report was completed?

EMSQ17-003971	Written	Marshall, Gavin	Outcome 1 - Employment	Work for the Dole Aggregated Safety Report	The Ernst and Young aggregated safety report found that 48 per cent of provider sourced Work for the Dole activities did not meet the average score for safety scores. How was that allowed to happen? Has the department shut down those provider sourced activities that don't meet the average safety score? The report found 64 per cent of activities did not meet the requirements for the risk assessment undertaken for the place/location they occur. Why has that happened? What has been changed? The report found only 67 per cent of the activities where electrical equipment was used had the current tagging and testing in place on that equipment. How was that allowed to happen? What has been changed? The report found that 50 per cent of activities where participants were exposed to hazardous waste or dangerous goods didn't have Safety Data Sheets on site or did not have them up to date. How was that allowed to happen? What has now changed?
EMSQ17-003972	Written	Marshall, Gavin	Outcome 1 - Employment	Effectiveness of Work for the Dole	Does the department believe Work for the Dole is capable of launching a greater percentage of participants into employment as it is currently structured? The Department has said it was an "activation" program. No indication if it could be improved. Why is \$633.8 million - across the forward estimates - budgeted to the Department of Employment for a program they don't see as designed to get people a job?
EMSQ17-003973	Written	Marshall, Gavin	Outcome 1 - Employment	Work for the Dole - participation numbers	How many people have participated in Work for the Dole in total since it was restructured by the Abbott Government in 2014? What are the targets for the percentage of people finding work after participating in Work for the Dole? Now that Youth Jobs PaTH is due to start, does the government intend to shut down Work for the Dole?
EMSQ17-003974	Written	Marshall, Gavin	Outcome 1 - Employment	jobactive star ratings - WA	Poor star ratings in WA have been almost uniformly low over the last three ratings periods dating back to last June. What has been tried to fix the performance? In light of the recent and continuing poor results, what action is the Government taking to improve to the system to better serve jobseekers in Western Australia?
EMSQ17-003975	Written	Marshall, Gavin	Outcome 1 - Employment	Business Reallocation Process	Will the contract reviews be published publicly? What are the options for the contracts once they are reviewed? If a decision is made to re-allocate business away from existing jobactive providers who have not met expectations will they have the opportunity to appeal the decision? How will the Department reallocate business in an employment region where all providers scored one or two stars?

EMSQ17-003976	Written	Marshall, Gavin	Outcome 1 - Employment	Business Reallocation Process - providers with two stars or less	Of the 44 organisations delivering jobactive services, how many scored 2 stars or below in the December Star Ratings? Will all of those who scored below two be reviewed in this process and decisions made about whether to continue the contract?
EMSQ17-003977	Written	Marshall, Gavin	Outcome 1 - Employment	Business Reallocation Process - Indigenous Outcomes targets	Is there also a review being conducted into the Indigenous outcome targets? Do the targets and results for the jobactive providers' Indigenous outcome review take into account jobseekers that were suspended while a client of a jobactive provider? When did consultation with jobactive providers for the Indigenous outcome target review begin? How do the weightings and ratios work for Indigenous outcome targets? How is that target and measurement made?
EMSQ17-003978	Written	Marshall, Gavin	Outcome 1 - Employment	jobactive provider complaints	What is the number of jobactive provider complaints in 2016?
EMSQ17-003979	Written	Marshall, Gavin	Outcome 2 - Workplace Relations and Economic Strategy	Automation of jobs and the gig economy	What is the department's assessment of the impact automation and new technology will have on the Australian workforce and labour market in coming years? How many jobs does the department believe will be made obsolete by automation in the next 15 years? Has the department actually done modelling or research to find out how many jobs may be lost to automation? What advice has the department provided to the government about how to manage the impact of automation and technology removing Australian jobs? What funding in the department is dedicated to finding out what kinds of jobs will disappear due to automation and what jobs may replace them? What is the department's estimate about the number of sharing economy jobs or portion of the workforce engaging in those jobs in 10-15 years? The Tomorrow's Digitally Enabled Workforce report indicated 44 per cent of jobs are at high risk of computerisation and automation. How many jobs dies that translate to in Australia? Does the Department have a plan to counteract that, or help adjust to that? What are these plans? Does the Department agree with the report's idea that the "ideal job within a large organisation" may not be a reality for many jobseekers in future? How well placed does the Department think the Australian workforce is to adopt "entrepreneurial skills and aptitudes" needed to compete in that environment? Has the Department made any recommendations or requests to government about these changes? The report said the Department of Employment has forecasts for existing jobs to 2019. Are those forecasts available? Has the Department begun forecasting for new types

					of jobs? Has the Department begun forecasting for jobs beyond 2019? Does the Department have plans to activate the workforce in order to cope with technological change? Especially in older cohorts?
EMSQ17-003980	Written	Marshall, Gavin	Outcome 1 - Employment	Unpaid Work Experience in Australia' report	<p>Only 27% of participants in the Department's Unpaid Work Experience in Australia report said they were offered employment by their host organisation. Will PaTH achieve a higher rate of employment? The Department's own report, titled Unpaid Work Experience in Australia, has found that work experience has already spread from placements in medicine, law and other professional fields to entry-level roles. Is the Department worried that placing another 120,000 young Australians into those entry-level roles as interns will make it even harder for young jobseekers to find permanent jobs? The Department's Unpaid Work Experience in Australia report said one in five participants in their study reported taking five or more internships in the past five years. With evidence that young people are already churned in the internship market, is the Department concerned that might happen in PaTH with more people added to the market? In the Unpaid Work Experience in Australia report, people not currently engaged in formal study were the least likely to report being offered a job after an internship. Will the PaTH program be altered to focus on formal study and attainment of qualifications to help participants' likelihood of job offers? The Unpaid Work Experience in Australia report found participants who undertook internships as part of a higher education course had the highest rate of finding full time work, while those participating as a requirement of Youth Allowance or Newstart had the lowest rate of finding full time work. Will PaTH internships see young Australians people pushed into insecure work?</p>

EMSQ17-003981	Written	Marshall, Gavin	Outcome 1 - Employment	jobacitve - Employment service providers roundtables	How many roundtables have been held with employment service providers? What issues are being raised at those meetings? What actions is the Department taking to address the issues raised? Can you provide us with a list of locations, attendees or all roundtables held in 2016 and to date this year?
EMSQ17-003982	Written	Marshall, Gavin	Outcome 1 - Employment	Success of internships	In answering a Question on Notice (EMSQ16/001014) the Department said: "Evidence shows that job seekers who undertake work experience are more likely to find employment than those that do not." This was when evaluating the success of overseas job placement programs. But a recent Australian study, commissioned by the Department and titled Unpaid Work Experience in Australia, couldn't definitively say whether internships lead to a better chance of getting work. So why would PaTH internships provide a better chance of finding work if internships overall in Australia don't necessarily achieve that?
EMSQ17-003983	Written	Marshall, Gavin	Outcome 1 - Employment	MYEFO changes to wage subsidies	The Treasurer said to the Australian at the announcement in the MYEFO update to cut wage subsidies for long-term unemployed people over 25 was always part of the plan to pay for Youth Jobs PaTH. Is that the Departments understanding? How was the decision made to cut \$339.5 million arrived at? The MYEFO paper said \$283 million was still available to claim in the wage subsidy pool that has been cut. So before the \$339.5 million was cut there was presumably \$622.5 million available. So only 45 per cent of the wage subsidy pool remains. Why was the decision made to cut so drastically? How many fewer subsidies can be claimed because of the cap? (If they ask to take it on notice, ask how they don't know that given it's a recent announcement and surely that would have been tested before the announcement.) Why has the government decided to reduce incentives to employ people over 25?
EMSQ17-003984	Written	Marshall, Gavin	Outcome 1 - Employment	MYEFO changes to wage subsidies - stakeholder consultation	Uniting Care, after MYEFO, said the decision to would have an "adverse impact" on vulnerable job seekers. Does the Department believe that is correct? Uniting Care also said the caps, when viewed with other employment measures, gave a very very mixed message about the Government's approach to supporting people into long term employment, including those aged over 25 years who may face a range of complex challenges in finding and maintaining work. Does the Department agree with that sentiment? Were stakeholders such as Uniting Care, or others working to help jobseekers, consulted before the decision was taken? How many? Which ones? What was their feedback?
EMSQ17-003985	Written	Marshall, Gavin	Outcome 1 - Employment	MYEFO changes to wage subsidies	Why cut any avenues that help people get into work when so many people are struggling to do so? Why was the decision made to cut a long-term employment subsidy taken to make savings, then a decision made to spend \$20

					million on advertising for Youth Jobs PaTH? Isn't it more important to offer the subsidy that might get people into work than find money to give to advertising companies?
EMSQ17-003986	Written	Marshall, Gavin	Outcome 1 - Employment	Restart age subsidy claims	How many Restart wage subsidies have been claimed in the last 12 months? What was the total value of the Restart wage subsidy claims in the last 12 months? What was the forecasted expenditure of Restart wage subsidies for the last 12 months? What was the target for the number of Restart wage subsidies for the last 12 months?
EMSQ17-003987	Written	Marshall, Gavin	Outcome 1 - Employment	Youth wage subsidy claims	How many Youth Wage subsidies have been claimed in the last 12 months? What was the total value of the Youth Wage subsidy claims in the last 12 months? What was the forecasted expenditure of Youth Wage subsidy claims for the last 12 months? What was the target for the number of Youth Wage subsidies for the last 12 months?
EMSQ17-003988	Written	Marshall, Gavin	Outcome 1 - Employment	Parent wage subsidy claims	How many Parent Wage Subsidies have been claimed in the last 12 months? What was the total value of the Parent Wage Subsidy claims in the last 12 months? What was the forecasted expenditure of Parent Wage Subsidy claims for the last 12 months? What was the target for the number of Parent Wage Subsidies for the last 12 months?
EMSQ17-003989	Written	Marshall, Gavin	Outcome 1 - Employment	Long Term Unemployed and Indigenous wage subsidy claims	How many Long Term Unemployed and Indigenous Wage Subsidies have been claimed in the last 12 months? What was the total value of the Long Term Unemployed and Indigenous Wage Subsidy claims in the last 12 months? What was the forecasted expenditure of Long Term Unemployed and Indigenous Wage claims for the last 12 months? What the target for the number of Long Term Unemployed and Indigenous Wage Subsidies for the last 12 months?
EMSQ17-003990	Written	Marshall, Gavin	Outcome 1 - Employment	PaTH - Insurance protections for participants	Have employer participants in the National Work Experience Program ever identified uncertainty around the insurance protections for participants as a hurdle to supporting the National Work Experience Program? If so, how are you overcoming this as it potentially affects the operation of PaTH?
EMSQ17-003991	Written	Marshall, Gavin	Outcome 1 - Employment	PaTH - Types of activities	Has the Department defined the type of activity participants will do at work sites?
EMSQ17-003992	Written	Marshall, Gavin	Outcome 1 - Employment	PaTH - Location of training panels	Why are the training panels only covering 30% of Australia? Labour force statistics shows QLD outback has youth unemployment of 34% and far west and Orana in NSW has 21% youth unemployment. But they aren't covered by this program. Why isn't the PaTH training being offered in places with very high unemployment?

EMSQ17-003993	Written	Marshall, Gavin	Outcome 1 - Employment	PaTH - Outcomes and qualifications	Does the Government not believe PaTH is the best program available to get young people into work? In Questions on Notice (QoN EMSQ16-001025) the Department didn't list any specific qualifications that would be attained by PaTH participants. Will any qualifications be earned?
EMSQ17-003994	Written	Marshall, Gavin	Outcome 1 - Employment	PaTH - Selection of training panels	How many companies applied to be part of the training panels for PaTH? How many were actually selected? What criteria was used to select the panels?
EMSQ17-003995	Written	Marshall, Gavin	Outcome 1 - Employment	PaTH - Number of businesses participating	How many businesses have signed up to take PaTH participants since the website allowed that? Are they all signing up online, or are they being funnelled in other ways? How many businesses are needed to find placements for the estimated 120,000 participants? How many of the businesses signed up are small to medium enterprises? How many are large businesses?
EMSQ17-003996	Written	Marshall, Gavin	Outcome 1 - Employment	PaTH - ACCI submission to Senate Inquiry	The Australian Chamber of Commerce and Industry submitted to the Senate Inquiry on the PaTH legislation. Their submission included the statement that the positions for the 120,000 PaTH participants were already available. They said: "industry has the placed to meet the demand of the program" Have they explained to the Department or Minister why they haven't already hired those 120,000 people?
EMSQ17-003997	Written	Marshall, Gavin	Outcome 1 - Employment	PaTH - Monitoring	How often will the Department run monitoring processes to see how many placements are turning into jobs at each company participating in the program? Will those numbers be publicly available? What declarations about future employment must businesses make before taking on participants? Are there any automatic trips that will alert the Department to irregular results from the program, or will any displacement or churning cases need to be manually found in the data or referred externally?
EMSQ17-003998	Written	Marshall, Gavin	Outcome 1 - Employment	PaTH - Targets	At previous Estimates hearings, the Department advised it has taken into account previous reviews of similar overseas internship programs, notably the National Youth Council of Ireland's review of Ireland's program. The NYCI found 27% of interns were placed into full time jobs after their internships. Will the Australian program have a higher hiring rate? What is the government hiring target for PaTH?
EMSQ17-003999	Written	Marshall, Gavin	Outcome 1 - Employment	PaTH - Hourly rate	What consideration has the government given to community concern that the hourly rate of payment for Youth Jobs PaTH participants will be lower than the national minimum wage? Given this is the first time a program of this nature will be opened up so widely to the private sector, what guarantees can the government provide to assure people that they won't be exploited?

EMSQ17-004000	Written	Marshall, Gavin	Cross Portfolio	PaTH - Advertising	How much money is the Department planning to spend on advertising for PaTH? Can you itemise that spending?
EMSQ17-004001	Written	Marshall, Gavin	Outcome 2 - Workplace Relations and Economic Strategy	PaTH - Review/evaluation process	Has the Government decided on a review/evaluation process for PaTH? What control or comparison groups will be used?
EMSQ17-004002	Written	Marshall, Gavin	Outcome 1 - Employment	PaTH - Monitoring and measures to protect participants	Why would a company hire a worker when they could receive a subsidised one from the government instead? Will employment providers be paid extra for the work of monitoring placements to make sure participant rights aren't being infringed upon and businesses don't churn through interns? Previously the internship was described as "co-design" between volunteer and the host. Is that a fair power balance for negotiation? In Questions on Notice (EMSQ16-000840) the Department said the design of the PaTH program would include "measures to address the needs and vulnerabilities" of jobseekers when background could impact their participation. What measures are in place?
EMSQ17-004003	Written	Marshall, Gavin	Outcome 1 - Employment	jobactive privacy breaches	How many other breaches of privacy have there been, besides the Sarina Russo example? Who made those breaches? What companies? What investigation was undertaken? What were the results of those investigations? What penalties were applied in each instance? What changes have been made since each breach occurred?
EMSQ17-004004	Written	Marshall, Gavin	Outcome 1 - Employment	Employability Skills Training consultation paper	After receiving 70 responses to the Employability Skills Training consultation paper, why was the Department's response to consultation only two pages?
EMSQ17-004005	Written	Marshall, Gavin	Outcome 1 - Employment	Employment Fund	Is the Employment Fund the pool of money available to jobactive providers to pay for extra costs to help jobseekers get into work? How much money is budgeted to the Employment Fund? How much of the allocated money was used last year?
EMSQ17-004006	Written	Marshall, Gavin	Outcome 1 - Employment	Breakdown of spending by employment service providers	How much money is currently spent by employment service providers providing transport for jobseekers, clothing, equipment, work-related licencing, accredited training, police checks and other extra supports? How much of that kind of funding - either through the Employment Fund or other accounts - is budgeted for Youth Jobs PaTH? How much money is spent on job seekers accessing appropriate childcare through the Jobs Education and Training Child

					Care Fee Assistance? How much of that will be allocated to Youth Jobs PaTH?
EMSQ17-004007	Written	Marshall, Gavin	Outcome 1 - Employment	jobactive - Size of businesses and stream classification	We asked about this in the previous Estimates, but it would be helpful to obtain a more specific answer: What is the ratio of small/medium enterprises (SMEs) to big businesses that take on job seekers referred to them by employment service providers? According to the Department's table in QoN (EMSQ16-000827), there were 18,685 people considered Stream A job seekers that had reached 36 months of servicing in jobactive. If they are in the system for 36 months should they be reclassified to receive more help at the Stream B or C levels?
EMSQ17-004008	Written	Marshall, Gavin	Outcome 1 - Employment	Sarina Russo jobactive contract	Prior to Sarina Russo winning a jobactive contract, how many people have made representations on the company's behalf, wrote on their behalf or met with people on their behalf? What are their names? How many government MPs made representations on behalf of Sarina Russo ahead of their success in securing a jobactive contract? Which government MPs made those representations? How many times did the Minister meet with Sarina Russo during 2016 and to date in 2017? Has a Sarina Russo company been given a place on the Youth Jobs PaTH training panels? Was the fact sensitive information about jobseekers was found in public taken into account when making that decision?