

Senate Standing Committee on Education and Employment

**QUESTIONS ON NOTICE
Budget Estimates 2014-2015**

Agency - Fair Work Ombudsman

Department of Employment Question No. EM0112_15

Senator Ludwig provided in writing.

Question

FWO - New non-ongoing contracts

1. How many new employees have been engaged by your department on ongoing contracts since the 2013 federal election? 2. How many new ongoing engagements were submitted to the Public Service Commission for approval since the 2013 federal election? 3. How many of these new ongoing engagements were approved by the Public Service Commission? a. For every approved new engagement of a ongoing employee please provide the following details: the employee's age, gender, wage, APS level, a description of their job, the length of their ongoing contract, whether this position was advertised externally, the reason for engaging this new employee and the reason given by the Public Service Commission for approving this engagement, as well as all relevant dates relating to this application. 4. How many of these new ongoing employee applications were rejected by the Public Service Commission? a. For every new ongoing engagement rejected by the Public Service Commission please provide the following details: APS level, a description of their job, the length of their ongoing contract, the reason for engaging the new employee and the reason given by the Public Service Commission for rejecting this engagement, as well as all relevant dates relating to this application. 5. How many new employees have been engaged on ongoing contracts without the approval of the Public Service Commission? For every ongoing employee engaged without the Public Service Commission's approval please provide the following details: the employee's age, gender, wage, APS level, a description of their job, the length of their ongoing contract, whether this position was advertised externally, the reason for engaging this new employee and the reason for engaging this employee without the Public Service Commission's approval, as well as all relevant dates.

Answer

1. The Fair Work Ombudsman has engaged 18 ongoing employees since 7 September 2013 to 30 April 2014.
2. On 14 November 2013, the Fair Work Ombudsman submitted a request for the approval of six ongoing engagements to fill legal and IT positions critical to business needs. These were pre-existing recruitment processes suspended due to the interim recruitment arrangements commencing on 31 October 2013.

A further request was sent on 24 February 2014 to re-advertise the approved legal positions that were not filled in the initial recruitment process.

3. On 13 December 2013, the APS Commissioner approved the request for all six ongoing engagements. On 26 March 2014, approval was received to re-advertise the 2 legal positions.

The table below provides the details of the engagements. Suitable candidates have not been found for all approved positions. All positions were advertised externally.

13 December 2013 approval (6 positions)			
No of positions approved	No of positions filled	APS Level	Position
2	1	EL 2	Principle Lawyer
3	2	EL 1	Senior Lawyer
1	0	APS 6	IT specialist
26 March 2014 approval (2 positions)			
1	0	EL 2	Principle Lawyer
1	0	EL 1	Senior Lawyer

4. No requests by the Fair Work Ombudsman to engage ongoing staff were rejected by the APS Commissioner.
5. The Fair Work Ombudsman engaged 15 ongoing employees without seeking approval by the APS Commissioner. The reasons for not seeking approval are provided in the table below:

No.	APS Level	Position	Advertised Externally	Reason for not seeking approval
9	ASP 3	Infoline Advisor	Yes	Commenced prior to interim recruitment arrangements on 31 October 2013
1	EL 1	Senior Lawyer	Yes	Commenced prior to interim recruitment arrangements on 31 October 2013
1	APS 4	Administration	Yes	Commenced prior to interim recruitment arrangements on 31 October 2013
1	EL 2	IT	No	Section 26 transfer between agencies
2	APS 5	Communications	No	Section 26 transfer between agencies
1	APS 5	Infoline Team Leader	No	Section 26 transfer between agencies

The positions that were filled by a Section 26 transfer were not externally advertised.

All employees are paid in accordance with the wage levels prescribed in the Fair Work Ombudsman's Enterprise Agreement.